



Digitized by the Internet Archive
in 2022 with funding from
University of Toronto

<https://archive.org/details/31761114670839>

CA20N
XC19
-G52

Government
Publications

103



A-1

A-1

ISSN 1180-4335

Legislative Assembly of Ontario

Third Session, 37th Parliament

Assemblée législative de l'Ontario

Troisième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 19 June 2002

Journal des débats (Hansard)

Mercredi 19 juin 2002

**Standing committee on
government agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues



Chair: James J. Bradley
Clerk: Tom Prins

Président : James J. Bradley
Greffier : Tom Prins

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 19 June 2002

Mercredi 19 juin 2002

The committee met at 1006 in room 151.

SUBCOMMITTEE REPORTS

The Chair (Mr James J. Bradley): I'm going to call the meeting to order. We have all members of the committee who are here today and all staff.

There are a couple of things we have to do first. One is the report of the subcommittee on committee business dated Thursday, May 23, 2002.

Mr Bob Wood (London West): I move its adoption.

The Chair: Mr Wood has moved its adoption. Any discussion? If not, all in favour? Opposed? The motion is carried.

Next is the report of the subcommittee on committee business dated Thursday, June 6, 2002.

Mr Wood: I move its adoption.

The Chair: Mr Wood has moved its adoption. Any discussion? If not, we'll have a vote. All in favour? Opposed? Motion carried.

Next is the report of the subcommittee on committee business dated Thursday, June 13, 2002.

Mr Wood: I move its adoption.

The Chair: Mr Wood has moved its adoption. Any discussion? If not, we will vote on it. All in favour? Opposed? The motion is carried.

INTENDED APPOINTMENTS

JOHN SNOBELN

Review of intended appointment, selected by official opposition party: John Snobelen, intended appointee as vice-chair, Ontario Exports Inc board of directors.

The Chair: We will get into appointments review now. Our first individual to be interviewed today is Mr John C. Snobelen, intended appointee as vice-chair, Ontario Exports Inc board of directors.

Mr Snobelen, you may come forward to the desk before us.

Mr John Snobelen: Thank you, Chair.

The Chair: As you know, you will have an opportunity to make an initial statement, should you see fit. We subtract the time that you take for that purpose from the government members' questioning.

Mr Snobelen: Would it be appropriate, Chair, to get a large glass of water, then?

The Chair: I am totally neutral as the Chair, of course, impartial and neutral. But were I sitting in that chair, the first question I always ask is, "Are you now or have you ever been a member of the Progressive Conservative Party?"

Mr Snobelen: Mr Bradley—I'm sorry, the member from St Catharines—as has been said in the past, I am not now, nor have I ever been, part of any organized political party.

The Chair: Thank you very much, Mr Snobelen, for being with us this morning. That could be said of many different parties over the years.

We will, as I say, commence with Mr Snobelen's initial statement. The questioning, I am told, in the rotation is now due to the official opposition first, then the third party, then the government party.

Welcome, Mr Snobelen, and you may proceed.

Mr Snobelen: Thank you, Chair. I beg your indulgence just to note that I was not in the Legislature last week when your milestone was noted. I add to the voices in that chamber my congratulations and astonishment at that long track record.

The Chair: Thank you.

Mr Snobelen: And also that you've maintained a youthful outlook, especially when compared to the other one of my colleagues who has reached that milestone.

Mr Michael Gravelle (Thunder Bay-Superior North): The Chair can't vote, John.

Mr Snobelen: He's obviously of some great influence, though, and so I was trying as hard as I could. I don't know what you call that in your caucus, but it has a term in our caucus.

I won't have a very long opening statement. When this appointment was first put forward, I looked at it with some delight, given that I've had experience in the private sector with exports, and not all of that good experience. So I know how difficult it is for a small business person to get involved in the export business. I'm very happy that Ontario Exports is there now, as it was not when I was in that business, to help people across some difficult borders.

I've also had some experience, particularly in the Ministry of Natural Resources, with the kind of help that government can be. I know many people at this table have more experience with that, helping to expand the export opportunities for some of our companies in Ontario.

Beyond that, we've had an opportunity at the Ministry of Natural Resources, and I can't help but wonder where we could expand that, in using some of the expertise in our government services and in exporting that expertise.

I think now particularly of the rabies baiting program we participate in in Texas and now in seven other states. There are a great many areas of expertise we have within the public service that could be exported, particularly to the United States but to other jurisdictions—firefighting in southern climes and that sort of thing—where I think we would be able to expand the expertise that we've developed.

I look forward to this. I look forward to your questions and I thank you for your indulgence this morning.

The Chair: We will commence with the official opposition.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Good morning, Mr Snobelen. You indicated in your remarks that when you were in business you came to understand first-hand some of the challenges to a small business in Ontario attempting to export. Can you expand at all on that, please? One of your businesses was garbage.

Mr Snobelen: That's right. We exported waste from the greater Toronto area to Buffalo and Detroit, and, I think, therefore beautified all three cities. But that would just be my opinion.

We had difficulties in part of the export-permitting process. We had difficulties, for instance, in the initial export which we were involved with from a transportation point of view with the USDA and other certifying bodies. It would have been very handy to have the help and guidance of people in the field to help us with the regulatory process. We had to invent it at that time.

Mrs Dombrowsky: I would suspect that the product you were exporting increased the challenge in terms of getting across the border.

Mr Snobelen: Yes, perhaps not just the product but the uniqueness. It was the first time, 1985, the region of Halton exported solid waste. It was the first time residential solid waste had been exported to the state of New York. Being the first is always difficult in a regulatory process. I'm sure people have that with all kinds of things they're exporting.

Mrs Dombrowsky: Did you look for this appointment?

Mr Snobelen: No, ma'am, I didn't.

Mrs Dombrowsky: Someone approached you and suggested that you might consider it?

Mr Snobelen: That's correct.

Mrs Dombrowsky: I have to say that I'm somewhat curious, and I was surprised when I saw your name put forward. Mr Snobelen, your record of attendance in the Legislative Assembly has not been stellar, and that's a role for which you are paid. We have an appointment here where you're going to get a dollar a day, so I have some real question, given your record of attendance and what I can only assume might be a record of lack of

commitment, how it is you come here today and ask us to support your appointment to this role.

Mr Snobelen: I think you might want to look at my record of attendance over the last seven years in this assembly, and you might want to look at my level of commitment to this province over the last seven years, in fact over the last 47 years. I think you would come to the conclusion that my candidacy for this appointment would merit your support.

Mrs Dombrowsky: I have only been elected since 1999, and it's only that record that I am aware of. I'm going from that first-hand experience. I thank you for your time this morning.

The Chair: Any further questions?

Mr Gravelle: Good morning, Mr Snobelen. Can you tell us in reasonably precise terms what you see your role being in terms of what you can contribute to this? We also have a former member of the House, Mr Saunderson, who is the chair.

We would all be curious as to what you think you can bring to this and what you think some of the issues are that need to be dealt with in terms of improving the situation we have in competitiveness.

Mr Snobelen: Mr Gravelle, I have met with the chair, but I didn't want to presuppose the determination of this committee, so I haven't met with the president of the organization, who is at the assistant deputy minister level at this time.

I have read some information on what Ontario Exports is doing. I believe, as I said in the opening statement, some of my background will help in terms of relationships, particularly with small business. More particularly, though, I think my experience with our rabies baiting program and other exports of government services might be unique in the structure we currently have there, and I think that would be an additional set of expertise to what is already present in the corporation.

Mr Gravelle: I'm a little surprised you haven't got more precise thoughts in terms of what you think the role you'll play will be, because I understand you'll be vice-chair. Is that correct?

Mr Snobelen: That's correct.

Mr Gravelle: Obviously that's a very significant role to play in this. What are your concerns in terms of the realities we are facing in our province, certainly in terms of the auto sector? We've got some real concerns about the situation there—it has been a backbone of our economy for many years. Could you give us your thoughts on what role the board can play in terms of those issues? We have seen plant closures; we're seeing the movement of plants to other jurisdictions. Can you give us your thoughts on that?

Mr Snobelen: The board has had a role in that area. As you know, a great deal of the discussion surrounding the auto sector has a federal connotation to it too. Minister Pettigrew is aware of the concerns of the auto sector. I have talked to him about that in person.

I think Ontario Exports has looked to diversify and expand in many ways the kinds of export opportunities

we have in Ontario, particularly to the United States, with whom, as you know, we conduct something over 90% of our trade. We're looking for additional commodities and expertise to export.

I've been involved in the discussions on softwood lumber for the last four years, so I know first-hand the kinds of difficulties that can come into the trade relationship with the United States. We have not resolved that issue. I think in the auto sector and other sectors the concern is protectionism and currency values. My guess is that those have always been with us and always will be, and we need to have expertise and sophistication in how we deal with those difficulties.

Mr Gravelle: Let me follow that up a bit, because obviously the issue of softwood lumber is important all across the province. As a member from northwestern Ontario, it's a great concern. We've seen what has happened in British Columbia, and I think we have great fears of that happening here. You were very directly involved as minister, and I think it's fair to say the government was very supportive of the industry and working with the federal government in terms of doing this. Do you believe we need to take a more aggressive approach in terms of the United States? Certainly there are great frustrations and concerns that we're going to lose many thousands of jobs in this province, which would be devastating for the economy of the province, but particularly in the north. I'm curious as to what your thoughts are. Now that you're no longer minister, it might be easier for you to be a little more forthcoming on that.

Mr Snobelen: Many things are easier now that I'm not a minister.

Mr Gravelle: Precisely.

Mr Snobelen: I think one of the things we did in the last six or seven months that will be useful—I hope governments of whatever cloak or stripe continue to do this, and maybe Ontario Exports is a way of doing it—was to pay a visit to some of the consumer groups in the United States. I paid a visit to Home Depot's headquarters five or six months ago. I was scheduled to go and do a tour of some of the consumer groups this summer. I hope that tour goes off, if not this summer, then sometime in the near future, because I think we need to make our case for our forest products directly to those consumer groups, both publishing companies and the major retail operations. We have to go beyond the normal place at the table in terms of government-to-government discussions and go back to the consumer level and help our industry.

By the way, the industry was enormously supportive of those sorts of initiatives. We were able to go to Europe and have a look at some of the opportunities we might have there to expand our exports. We also looked at the marketplace in Australia and some of our competitors in New Zealand. It takes a while to acquire any depth of knowledge in that industry. I know you've done that. But I think our direct help as a government can be in going to the end consumer and making the case for our industry. Home Depot, for instance, was very receptive to that.

Mr Gravelle: I take it from that, then, you wouldn't be supportive of a more aggressive stance being taken

politically, perhaps in terms of other issues that obviously would be of great interest to the United States.

Mr Snobelen: I believe Minister Pettigrew has had wise counsel on this and has been wise to keep the issue of softwood lumber focused on softwood lumber and the producers and consumers in the United States. I think he's done a good job on that file. I think there's been some urge to expand this to larger trade issues. I don't believe that would be either successful or useful.

1020

Mr Gravelle: Do I have a little more time left?

The Chair: You have until 10:23.

Mr Gravelle: I wanted to ask you, if I may, about an issue related more specifically to the position on the export board. Last October, former Premier Harris announced the appointment of a Task Force on Competitiveness, Productivity and Economic Progress. Their research arm, which is the Institute for Competitiveness and Prosperity, released its first study, which was pretty interesting in terms of what it said. It was called *A View of Ontario: Ontario's Clusters of Innovation*.

They said that while Ontario was well positioned within Canada, it is not an economic leader within North America, and it estimates that Ontario's labour productivity or effectiveness is ranked 32nd out of 60 jurisdictions in North America.

One, do you accept that, and two, that being the case, what do you think needs to happen in order for us to do that? I think that will come as a great surprise to a number of people.

Mr Snobelen: It's number two in Canada, behind Alberta, in terms of productivity, if I recall the study right. I'm not a practitioner of the dismal science of economics, but it seems to me that various experts have said that the status of the Canadian dollar has much to do with the relative productivity here versus the countries we export to and import from.

What can be done about it? There is an ongoing review of not just where we are in terms of productivity but where we might get to be. I think all of us are concerned about being productive. Productivity is not just a measure of outputs; it's a measure of value of output. So there's much work to be done on that file. I think that most of us would be concerned with the direction that we are going versus other jurisdictions.

Mr Gravelle: Our economy is so incredibly dependent on our trade relations with the United States. I mean, 93% of our exports go to the United States. Certainly when the economy was booming in Ontario, you acknowledged it was very much a result of the booming economy in the United States.

Mr Snobelen: No question about the fact that the economies are tied together. No question about it.

Mr Gravelle: So it wasn't tax cuts. If it wasn't tax cuts, it was the economy of the United States.

The Chair: That's a judgment you may come to, but—Mr Snobelen, I'll let you answer that.

Mr Snobelen: I just read something in the *Toronto Star* the other day about that being all over. I don't know, Chair, maybe you could fill me in on that.

The Chair: You're very helpful in your answers today, if I can note from the chair. We now go to the third party.

Mr Tony Martin (Sault Ste Marie): I just wanted to follow up on perhaps some of what previous members have asked, and pick your brain here a little bit this morning just to get a sense of what you think you can bring to this job and what it is that we should be doing as a jurisdiction to improve our trade fortunes into the future.

It was referenced that our dependency on the US—I think you mentioned too that about 90% of our trade is with the US. Is that a problem, and do you have any ideas on what we could be doing to develop further partnerships?

Mr Snobelen: The good news about it is that the United States is both a neighbour—so it makes it easy to export commodities there—and also has a regulatory climate that is easier to export to than some other jurisdictions. The difficulty is it sets up a pattern for more habit than perhaps anything else. One of the reasons we went to Europe with our forest producers was to say, "What other markets are there, and can we develop markets outside of the United States for specialty products, in particular in engineered forest products?" Having a little competition is useful and healthy and would work well for our relationship with the United States. It will always, I suspect, be our largest trading partner, but it doesn't have to be our only trading partner. I think we can see that the problems in British Columbia from 10 years ago are in part because they hadn't developed other export opportunities from that part of Canada.

Mr Martin: The reason I ask you that—and I appreciate your answer—is that the economy that's been going for the last five or six years, which has been very positive, particularly for the larger urban centres of the province, has not really helped much in some of the more rural and northern jurisdictions, where the economy has actually shrunk significantly and we're losing population like crazy. Most of that is our young people, who represent the future—thinking, creativity and energy.

We took a trade mission out of Sault Ste Marie. We took 11 people over to Ireland in 2000. Then we had 23 people come back from the Dundalk area north of Dublin, south of Belfast, in 2001. Then we took 84 people over just a couple of weeks ago. But we're not getting any support of any significance from either the provincial or federal governments in that. I guess we're seen to be too small or something.

Should governments be giving support to communities who take initiatives on their own? Do you think that's a smart thing to do, or is it really just a drop in the bucket that really isn't going to amount to anything?

Mr Snobelen: I don't know that it would be fair to comment on that particular mission, because I don't know the details. But I do know this: if you'd asked me a decade ago about government trade missions, I would have had a very negative view of those. Having been on a

few for the forest industry, I now have a completely different view. My view is that they can be very useful. We learn a lot on those missions. We learn a lot both from export opportunities and from what we can learn in those other jurisdictions about what they're doing and how they're proceeding.

I do recognize the difficulty in northern Ontario, having spent, certainly, not the kind of time you've spent there but a little bit of time over the last four years—the shrinking opportunities from some of the traditional activities. You'll know the forest industry now takes less employment to produce the volume of fibre. That's a dilemma. The good news is that the tourism industry has the opportunity to pick up, but you know it requires a capital investment to do that.

I think there needs to be a strategy. I think, in part, things like the Great Lakes heritage coastline and those sorts of initiatives offer us an opportunity to have government participation with the private sector to help market and design what our future should be in the market. Without doubt, there need to be more of those sorts of initiatives. They're small initiatives, but collectively they're large.

Mr Martin: You talk about learning. We certainly learned a lot, particularly those of us who didn't have much experience in economic development and trade and those kinds of things. One of the things that we discovered in Ireland—and then I was also in Finland a couple of weeks ago with the Finnish ambassador, meeting with senior government officials on foreign and trade policy. It seems that in Europe, the eggs they're putting in their basket are in the areas of developing intellectual capacity, technological innovation, investing in education, research and development. They see that as the future for them.

It seems to me in Canada, Ontario and North America, we seem to be more interested, in terms of competitive advantage, in reducing standards, getting regulation out of the way, reducing government, decreasing taxes. That seems to be the tack or strategy we've taken.

Have you detected that? Do you have any comment on what kind of advice you might be giving government, in terms of trying to advance the opportunities for this organization you're being appointed to?

Mr Snobelen: There's obviously a collective of all those initiatives. Part of the productivity issue that was brought up earlier is that the government has a role to play, in that they set the regulatory climate. Obviously, you'd like to think the people of Ontario are as productive as any people in the world and perhaps more so, and so the regulatory climate in which they work has much to do with how much value they can add, as measured by the exports, the commodities. So government has a role to play. Also, as you know, on the research side, there's both a provincial and a federal presence.

I think we need to be vastly more strategic than we might have had to be in the past. I think we have to recognize that as a nation of 30 million people, plus or minus, we need to be very strategic about who we are, where we research, what we do and what we support

publicly, so we can be world leaders in those areas where we have some advantage. I think we've demonstrated that on some small levels. Again, not to go back to this over and over, but if you look at the expertise we have in the ministry I was recently minister of, we have some expertise that is the best in the world, and we have that in a pattern across other industries and services in Ontario. We need to expand those and improve them.

1030

Mr Martin: One of the areas that Europe has detected will be both a challenge and an opportunity, depending on what they do in the next 10 or 15 years, is in the area of population growth. Places like Finland, which has almost maxed their capacity to grow their GNP or GDP, are indicating that the only way they will be able to go further is by getting more people to work in the industries. I guess they are going to have to look now at attracting new immigrants to the country or bringing back expatriates. I know in a lot of European countries the law is now such that if you have a parent or a grandparent who lived at one time in those countries, you can get dual citizenship, which would bring you back to either go to school or work.

In terms of Canada and the relatively small population we have for our geography, what advice would you be giving governments in terms of immigration, considering what I pick up is a concern in Europe and their need for more people in what they're doing?

Mr Snobelen: I don't have very much advice on immigration. That's not an area I know a lot about. Again, in a previous ministry I had some discussions with those in our university sector who would suggest that great graduate programs help us to attract people who will be very productive citizens of Ontario and Canada. I think there's some wisdom in having those kinds of programs to attract people from around the world who would add to the mix and add to the productivity of Ontario.

I don't know a great deal about immigration. I know that in my daily commute from Mississauga it would appear that our population continues to expand, but that's probably not the case right across the province.

Mr Norm Miller (Parry Sound-Muskoka): I have no questions for Mr Snobelen, just a comment that I'm sure he's going to be an excellent candidate for vice-chair of Ontario Exports Inc, which I gather used to be called the Ontario International Trade Corp. In fact, my father was chairman of it back in 1988, I believe, and had a similar background to Mr Snobelen in that he was involved with business and with government as well. He brings a unique experience. As well, Mr Snobelen's background and knowledge of the United States I'm sure will be very useful in this new role. I have a lot of confidence that he's going to be an excellent person to be the vice-chair of Ontario Exports Inc.

Mr Snobelen: Having known your father, I'm flattered by the comparison.

Mr Wood: We will waive the balance of our time.

The Chair: That completes our questioning. Thank you very much, Mr Snobelen, for being with us today. It was a pleasure having you before the committee.

Mr Snobelen: A pleasure being with you always, Chairman.

NORMAN BEAL

Review of intended appointment, selected by official opposition party: Norman Beal, intended appointee as member, Ontario Farm Products Marketing Commission.

The Chair: The next intended appointee is Norman Beal, intended appointee as member, Ontario Farm Products Marketing Commission. Welcome to the committee, Mr Beal. As you probably heard earlier, you have an opportunity at the beginning to make a statement, should you see fit, and then there will be questioning. In this case, it will begin with the third party and go in rotation. It's all yours.

Mr Norman Beal: I must admit I have no written statement, but I have prepared some point-form notes that will guide me through my past and give you some idea of my background.

I want to thank the Chairman and members of the committee for allowing me to appear before you today regarding my potential appointment to the Farm Products Marketing Commission.

My name is Norman Beal. I am 43 years old. I am married and I have one 11-year-old son. I was born in Hamilton, Ontario, and grew up in the Golden Horseshoe, including the Niagara Peninsula. I own a vineyard, a farm that is called Beal Vineyards. It's approximately 45 acres of vinifera plantings—grapes. I also own Peninsula Ridge Estates Winery, which is a winery producing now about 20,000 cases of premium Bordeaux-style reds and Burgundy-style whites. The winery opened its doors in August 2000, and our first harvest from our vineyard was last year. We've expanded the vineyard, since 1999, from 25 acres to 45 acres. The vineyard is extremely healthy and is now supplying grapes, as I mentioned earlier, to our winery.

I also own the restaurant at Peninsula Ridge, which is a Queen Anne revival Victorian house that we have fully restored. It was recently designated under the Ontario Heritage Act as an official Ontario heritage site for its architectural and historical significance. The restaurant is geared to producing a world-class wine/culinary experience, primarily utilizing Ontario farm products.

The above companies represent a personal investment of around \$7 million, and I am fully committed to the success of both the wine industry and the agriculturally based industries around the wine industry going forward.

I also own a company called Ensign Industrials, which is an oil products brokerage firm representing a company called Glencore, which is a Swiss-based commodity trading company. Their North American office is out of Stamford, Connecticut, and their head office is in Zug, Switzerland.

I also sit on the board of directors of Norcan, which is a clean products marketing distribution terminal based in Montreal, where they bring in petroleum products—jet

fuel, gasoline and distillates—from other regions in the world and market them within the southern Quebec area.

I'm a member of the Wine Council of Ontario. I sit on their policy and executive committee, also their land preservation committee and the grape grower committee. I am also a board member of the Canadian Vintners Association. I was appointed by the former Premier in June 2001 to the binational tourism steering committee.

Moving back to just a little bit about my career, my background, I moved to Alberta from Ontario in the late 1970s, back in the oil boom days. Unfortunately in those days there wasn't a lot of employment opportunity in Ontario. I moved to Alberta and spent about 13 years there, starting originally with the start-up of the Syncrude oil sands project and then moved to Calgary and worked for Shell Canada for about 10 years.

In my capacity at Shell Canada, I originally started off in lubricants marketing and, after deregulation of the oil industry in 1985, was made the manager of international refineries, sales and product trading, and developed export markets for petroleum products from western Canada into the Far East, the US west coast and South America. In 1990, I moved to Connecticut in the US to work for Glencore, the company that I now broker for to some extent.

Glencore, just to give you a little bit of background, is probably the world's largest commodity trading company. They trade ferro-alloys, metals—copper, lead, zinc—and oil, of course, which I was involved in, and also grains, sugars and various other commodities, such as aluminium. I worked for Glencore until 1997, and then I went to British Petroleum, managing their international product trading division for the Americas out of Stanford, Connecticut, as well. In 1999, having had enough of the commodity trading business, I decided that I would pursue a passion, which was to become a farmer of quality grapes, and open a winery and produce wines of world-class quality.

I consider myself a passionate advocate of agricultural land preservation, including the Niagara Escarpment. I fully support the activities in the Niagara Escarpment Commission in protecting this very valuable world biosphere preserve.

My interest in the appointment is, as I think you all know, that there are some challenging times ahead for Ontario farmers in light of recent developments in the United States. We know that a recent bill passed before Congress, and now approved by the President, put forward an additional \$190 billion in farm subsidies. That's going to create, I think, some competitive disadvantages for our farmers. We need to be concerned about that. There are many issues in front of the Farm Product Commission right now that are very important to our growers and our producers, and that also spills over into the grape and wine industry. The grape and wine industry has many challenges ahead, going forward. The relationship between growers and wineries probably is not in its best stead right now. I want to actually congratulate the Ontario Farm Products Marketing Com-

mission for instituting a facilitator to deal with a great price renegotiation this year. This has been extremely helpful to date. I've sat in on those sessions with the growers and with the wineries, and I think we're making some real progress.

1040

I believe I offer significant and extensive knowledge in commodity trading, primarily of course in oil, but the basic principles apply across the board. I'm new to the industry; I'm back in my homeland; I've come home to the peninsula, which is an area I love. I've been very excited about raising my family there. I believe I bring some fresh blood to the commission and to some of the issues that are facing us going forward. That's my statement.

The Chair: Thank you very much, Mr Beal, for a very extensive statement.

If I could get a commercial in here at the indulgence of the committee, I have a resolution before the Legislature to be debated next Thursday which would call for an agricultural preserve for the Niagara Peninsula. It's just a little commercial that my good friends around the table allow me to do from time to time.

Mr Bert Johnson (Perth-Middlesex): What time will that be?

Mr Beal: You have our full support behind an agricultural preserve. We think it's a great idea.

The Chair: I'm very glad to hear that. With that, I'll start with the New Democratic Party in this case. It's their turn.

Mr Martin: I won't ask you to expand on what that means, an agricultural preserve for the Niagara Peninsula. I would ask you to maybe share with us how you think you're going to deal with the possibility of a conflict in terms of your passion for the grape and wine industry. As you know, there's a whole variety of farm products that are being produced and marketed in Ontario, Canada and North America. Do you see a difficulty there, any kind of conflict of interest that might arise in your deliberations?

Mr Beal: My understanding is that the Ontario Farm Products Marketing Commission actually oversees 20 different marketing boards, the Ontario Grape Growers' Marketing Board being one.

I am fully committed to the long-term health of the grape and wine industry. You cannot produce world-class wines without producing world-class grapes. I am fully committed to both the growing side and the producing side. I am a grower, I'm a farmer and I am a producer as well. I think I can see a balanced view on both sides of those fences.

I believe very strongly, when it comes to the relationship between grape growers and wineries, that in order for us to be successful in the long term, we have to work together. I think some of the issues before us now are created because the industry has evolved tremendously in the last five to 10 years. It's growing in a very dynamic way. Some of the thoughts around pricing and quality have not evolved and haven't evolved quickly

enough. I think the Ontario Farm Products Marketing Commission has a role in facilitating the evolution in thinking, both by wineries and by growers, so I think I can be of great assistance in that way. Whether or not in specific votes that relate to the relationship between growers and wineries: I probably would have to be taken out of those equations when specific votes are taken that would affect either industry.

Mr Martin: I wasn't so much referring to the difficulty between growers and winemakers; I was referring specifically to the other products in agriculture that are being grown and marketed in Ontario. You obviously have a passion—we can't seem to get you off it—for the grape and winemaking industry.

What about the other farming industries? What knowledge, interest and experience do you have in terms of their challenges? How are you going to be able to, I guess in some instances, unhook yourself from the concern you have about your own particular industry and engage, and at other times disengage because you may have a conflict? Or do you see that as a problem?

Mr Beal: I don't see that as a problem. One of the things I think I would bring to the commission is my extensive knowledge in the commodity trading business and my experience in international sales and trade. I recognize how important or how significant government regulation can impact various industries, and certainly I think for our own agricultural business right now, which is a hugely important industrial sector within the Ontario economy, I can see how negatively or how adversely they can impact various agricultural commodities. I see that particularly right now with the farm subsidies that are being put in place in the United States.

I think I can bring a sense of knowledge from the commodities side of the business to the commission in helping move our various marketing boards forward in terms of exports or even how to deal with regulations and some of the protectionist policies being put forward by other governments.

Mr Martin: Setting aside the American subsidies for the moment, and certainly there are various sides to that issue, what are the biggest challenges in your experience right now to the agricultural industry community in Ontario?

Mr Beal: I certainly believe we're very competitive. I find that the Farm Products Marketing Commission is often asked to be an arbiter between the various factions or parties, particularly between the growers and the producers. I think the greatest challenge is to get both growers and producers working as a team in a co-operative way rather than in a confrontational way.

I think the long-term health of all the various commodities, whether it be pork, eggs—I think working together is absolutely key for the agriculture-based industries to move forward. I think the role of the Farm Products Marketing Commission is really as a facilitator of that kind of dialogue, bringing together both the growers and the producers to take a long-term view of how we develop and grow the business going forward.

Mr Martin: I hear you on the growers and producers side of things. What about the producers and the distributors? I note up in my area—I'm from the north—where we have very small farms, a lot of them are just choosing not to be involved any more because the distribution systems have become so difficult to become part of, so very expensive, and at the end of the day not very profitable. It seems to me that when you and I go to the store to pick up our groceries on a Friday or Saturday or whatever, it is becoming ever more expensive for us to put food on the table, and yet you talk to farmers and they'll tell you that they're going bankrupt. The family farm is becoming a thing of the past, it seems.

What, in your mind, is the problem there in terms of distribution systems, and what is it that this commission you're being appointed to might be able to do to confront or challenge or bring some resolution to some of those issues?

Mr Beal: I can certainly tell you that I recognize the concerns relative to limited distribution in the wine industry. We have that very problem as well, because we do have to market through a singular government monopoly called the LCBO. Access to markets is absolutely, critically important to our farm products going forward.

To give you an idea of specific recommendations that I would put forward, I can tell you that I don't believe I have the background knowledge and the expertise today to be able to make any specific recommendations. I do recognize it is a significant concern for the small farmers going forward. Any way the Farm Products Marketing Commission can assist particularly the smaller farmers in gaining access in distribution, I think we should move forward on that.

With regard to specific recommendations, I don't feel that I'm qualified at this point in time to give you any specifics.

1050

Mr Martin: Do I have some time still?

The Chair: You do.

Mr Martin: You mentioned the LCBO and the monopoly that's there, and we certainly hear a lot about that. I think it's been visited and revisited and turned upside down and looked at in an attempt to figure out what to do about it.

On the other hand, you've got many other products that are distributed by what are becoming one or two major distributors, a couple of major grocery chains that, for all intents and purposes, monopolize and set the rules and dictate.

Is there anything that you believe can be done on that front? For example, the federal government has been looking at the issue of monopolies for quite some time but doesn't seem able to engender enough political will to actually come down and be tough. In Ontario, I brought forth legislation to regulate franchising because, for all intents and purposes, most of the food distribution systems are franchise operations and in those franchises there's very tight regulation and rules on how farmers get their product on to the shelves of stores and what price is charged for them.

Have you looked at any of that? Do you have any ideas as to things that might be done to improve the circumstances for the small family farm in Ontario today?

Mr Beal: I understand exactly where you're coming from. Any monopolistic organization that is created or set up or is emerging with respect to the distribution of farm products is not a good thing for this province. We need to ensure ready access for all our farm products through a broad distribution chain. I hear and agree with your concern that if we continue to monopolize the food distribution system, that is going to be unhealthy not only for our small farmers, but for our medium-sized farmers as well.

One suggestion that is being made relative to the grape-growing business and the grape growers is that co-operatives be set up through grape growers in order to process their product and have the critical mass to effectively distribute it. That's something we can look at across many of the other commodity sectors, where smaller farmers can band together to give them some marketing clout with respect to some of the larger distribution chains. That is something I think would be a positive way forward.

The Chair: We move to the government caucus.

Mr Johnson: I have both some comments and some questions for Mr Beal. I represent the riding called Perth-Middlesex. It stretches from the city limits of London north 130 kilometres to a little place called Taviotdale. I think at one time there were about 42 commodity groups represented in the council, and I think there are 39 of those 42 in my riding. I guess two of them that aren't would be the tender fruit and the grape growers. So my background will be a little bit different from yours, and I'd like to bring that perspective, because I want to content myself that you bring a great deal of experience to this position but not the background that would influence those in my part of Ontario.

By that I mean that most of that part of central Ontario was surveyed and populated in the mid-1800s, and most of them were 100-acre farms. In some societies my family would be called peasants, but we owned our own land and we farmed it and cropped it. I think throughout history it will be demonstrated nearly exclusively that peasants who own their own land do much better for themselves than when somebody else owns the land and they are asked to farm it, either on a share-cropping basis or for wages.

I bring that up because the background of most of those 20 marketing boards that were set up in the 1950s, 1960s and 1970s was that we wanted to maintain a middle-class society on farmland in Ontario rather than a peasant class. There will always be diversity between those processors and growers, such as vintners and grape growers, and in all the other commodities as well. My question is: how do you see your background fitting into those kinds of disputes?

Mr Beal: First of all, I see myself as a grower and also as a producer. I think I recognize some of the

problems the growers face going forward, right down to the weather, and I recognize and can understand some of the concerns our producers have as well. I think I can bring a balanced view from both sides of the table, so to speak.

I totally agree with you: I think the 100-acre farm is an absolutely invaluable institution within the Ontario economy, and I fully support keeping it. But I cannot support poor farm practices that don't make certain farms financially viable. I don't believe we have a role to support poor business management, but I do believe we should strongly support the entrepreneurial farmer who knows how to run his farm.

Going forward, to be totally honest with you I do not have a great depth of knowledge when it comes, for example, to the production and processing of tobacco. But I think the basic principles do apply across the various commodity sectors. Again, the most important thing to me is that the producers and the processors overcome their differences. Yes, there are some conflicting interests between producers and processors. But recognizing the long-term health of both is important, and working together is the only way you're going to surf through those issues.

It's also important that the legislation keep in step with the times. I think many of these institutions have stayed pretty well the same since the 1950s, even though the industry, for a number of different reasons—whether they're being competitive or through regulation within Ontario or offshore—has changed the dynamics and basic principles of running that business profitably. I think it's important that we look to make sure the regulations are in step with the realities of the business. I see the Ontario Farm Products Marketing Commission as a key institution in making sure the government is informed that maybe it's time to revise certain statutes under the act.

Mr Johnson: I would draw your attention to a point by Mr Martin; that is, that in Ontario basically there are only three buyers of farm products for supermarket shelves. It's a little different than a vertical integration of growing your own grapes and processing them to the finished product.

I'm encouraged by your background and your forthrightness in the way you've answered questions. I would like you to know that I'll be supporting your appointment to this board.

Mr Beal: Thank you.

Mr Wood: We'll waive the balance of our time.

The Chair: You'll be waiving a deficit, but that's OK. There's nothing wrong with that. I was distracted with the very good questions that were being asked, so it went on at great length. But it was very valuable to the committee.

Now we go to the official opposition.

1100

Mrs Dombrowsky: Good morning, Mr Beal. I'm hoping you might assist me in understanding a particular part of the agriculture industry that I'm not especially

familiar with. Like the member from Perth-Middlesex, I represent a rural part of Ontario. There are very different kinds of agricultural enterprises in my part of the world in eastern Ontario, and I want to talk a little bit about that.

You are a grower of grapes and you are also a producer of wine. Do you have a quota for producing grapes?

Mr Beal: No, I don't.

Mrs Dombrowsky: Do you buy grapes from yourself?

Mr Beal: Yes, I do.

Mrs Dombrowsky: So you do participate in a managed market with your grapes.

Mr Beal: Yes, I do. I obviously produce and purchase. The winery purchases grapes from the vineyard. I also have long-term contracts with nine different growers ranging from Niagara-on-the-Lake to south Lake Ontario to the Beamsville bench as well.

Mrs Dombrowsky: Very good. It's interesting, because in other agricultural enterprises—I'm thinking particularly of the dairy industry, for example. You explained how you returned to this area and you purchased property and established a vineyard, obviously with some significant investment. In the dairy industry, what I'm hearing from individuals who would like to get involved, just as you have become involved in the wine-making industry, is that the problem for many young people who may like the farming business but don't have a family member, either a parent or a sibling, who owns a farm—in order to get into the dairy business you have to purchase quota, and quota is very expensive. So what seems to be happening, the trend that I've been observing and the concern I hear about from folks in my part of the world, is that the smaller family dairy farm is really becoming obsolete, that it's more and more difficult for people like yourself who might want to get into the industry to be able to afford that investment.

While I think we support the principles of the managed market system, particularly in the dairy industry it's becoming more and more of a challenge for people in rural Ontario to continue to be engaged in that business. Are you aware of that? Have you had any conversations about that reality, maybe as you were doing some research for this?

Mr Beal: I can't give you an in-depth response to that. I recognize that particularly in the milk and dairy industry there are very complicated issues facing the industry. I appreciate how difficult it probably would be for someone outside the industry to be able to access the opportunity to enter it because of the quota system. I do believe that the quota system for dairy products has served a number of farmers in the Ontario dairy industry very well over the last number of years. Maybe it's time to look at a way of creating openings in that system so that new entrants can come in. But to be honest, for me to give you a detailed analysis, I'm just not prepared or in a position to be able to do that.

Mrs Dombrowsky: I understand that and I'm really not expecting that. I guess I'm sharing it with you as an

elected representative so that you understand some of the issues that I hear about from people in other agricultural areas in Ontario and what some of the challenges are.

The member for Perth-Middlesex talked about the peasant folk. I come from that kind of stock myself. I grew up on a farm. I couldn't agree with him more that when you own your own land and you are your own master you can do extremely well. My son is studying agriculture at the University of Guelph, and while his dad and I are not farmers, we would very much like to become involved in that industry. What we have come to find out is that if he were to—really the only option that would be open to someone who isn't related or directly connected to someone in the dairy industry, for example, would be to pursue one of the options you talked about: either working for someone else or time-sharing or whatever, offering to work in lieu of gaining shares in an operation but never, ever owning it. I think that the smaller family farms have contributed significantly to a quality industry in this province, and I would hope that we might be able to continue to explore ways that that might continue as well.

I was impressed with the fact that you've indicated to us you came back and you have started your own agriculture business, and want just to let you know there are other areas in agriculture where that is not as easily done. I'm not suggesting what you've done has been easy. I certainly congratulate you on your very obvious success and wish you well in this endeavour as well.

Mr Beal: If I can just comment, I hear exactly where you're coming from. One of the reasons I came back to the Niagara Peninsula was because of quality of life and lifestyle. I wanted my son to be raised in an environment where he could be involved—I don't want to sound too silly—with the land and grow up in a community where we're not in a big city where he's pounding the concrete every day, where he actually is close to the land.

I think it's absolutely, critically important that all Ontarians have that opportunity. I truly hear where you're coming from on that. I believe that in any business, and farming is certainly a business, you need to provide access for new entrants. That brings in new blood, new ideas. I think it's very important that we allow that opportunity to be present for people who maybe are not necessarily in the agricultural business now to have an opportunity to come in. I hear you loud and clear.

Mr Gravelle: Good morning, Mr Beal. I appreciate the sensitivity with which you've dealt with the conflict issue. You addressed it in your opening remarks and it's come up in each round of the questioning, but I wanted to pursue it a little bit further because I think it is important and important to understand.

You've described yourself as a grower and a processor, and I appreciate that. But there was difficulty in negotiations last year; it went to arbitration. The arbitration panel was brought forward and ruled in favour of the grape growers, and that made a significant difference. I understand from our researcher, which we appreciate getting, that it's made a difference of \$1.5 million to the

grape growers. I'm curious as to what your position is on how that decision was reached, whether or not you agreed with it and how it impacted on you, as I do think we have to be concerned about where your interests most strongly lie and what impact that might have on decisions you might make in the future.

Mr Beal: It's interesting. You talk about the large processors and the small processors. I happen to be a small processor. For the last two years we've gone to arbitration over the grape pricing process. I think there are some inherent problems with the pricing process right now that the Ontario Farm Products Marketing Commission is dealing with through a facilitator, and they're doing an excellent job. Both the growers and the processors recognize there needs to be change.

Last year in particular was interesting, because of course the processing industry said there was a requirement for only 33,000 tonnes of grapes. In the end, they purchased 41,000. From a grower's point of view I'm saying, "What gives here? When you went into negotiations, you told me there was only demand for 33. You bought 41. So was the 33 just a negotiating ploy?" That's created some distrust between the growers and the wineries, but I can tell you that the swing in the 8,000 tonnes didn't come from small processors like me. It was actually one processor and the largest winery organization in the country.

What happened there was, I think they decided to back out of buying imported juice and buy more domestic product, for which I applaud them, and given the potential for a surplus this year, I hope they are there to step up to the plate again this year. But again, there is a problem structurally with the way the price negotiation process is currently being undertaken, and there's probably not enough correct information being thrown around by both the producers and the growers. There's a misunderstanding of the realities of certain situations in terms of supply and demand on both sides of the table, and the farm products commission is instrumental and key in making sure that information is validated, is considered unbiased and is put forward to both parties so they can actually sit down and have an intelligent conversation when we go into negotiations this year.

Mr Gravelle: I take it then that one of your goals would be to actually bring that forward the way you've described it.

Mr Beal: It's absolutely key that the proper information be put forward so we can understand the overall supply-and-demand dynamic within our industry. Right now, I don't think either party does.

1110

The Chair: Thank you very much, Mr Beal. You may step down now, and the committee will go into its deliberations.

I think we'll deal with the intended appointments first, then talk about agency review proposals, and then we'll talk about potential future meetings.

The first intended appointee is Mr John C. Snobelen, vice-chair, Ontario Exports Inc board of directors.

Mr Wood: I move concurrence.

The Chair: Any discussion?

Mr Martin: Even though I have no real difficulty with Mr Snobelen's obvious work ethic, his knowledge of the business world, his relationship with lots of people south of the border, his understanding of the impact of that on the Canadian economy and the very difficult relationship we have with that country, given that 90% of our exports are to the US, I still have some misgivings. I've been here for almost 12 years now, and I don't remember us appointing members of the Legislature to bodies of this sort. It may have happened—and somebody can enlighten me—that members of the Legislature would, while still serving as members, be appointed to agencies, boards and commissions.

It seems to me that we have a different role to play. We have an overseeing role that needs to be objective and broader than what Mr Snobelen will now have. As issues of export and trade come before the Legislature and he gets to participate in debate and vote on some of these issues, he may find himself in a conflict of interest from time to time. I don't think that's healthy. Personally, I wouldn't want to be stuck in that position myself, although from time to time we all find ourselves in some degree of conflict, but I think we work it out.

No reflection on Mr Snobelen's ability, knowledge and obvious willingness to commit, but I don't think I can support this in that I think it will be a major and obvious conflict for him and for us, because we all share the same responsibility. So I won't be able to support this appointment this morning.

Mr Gravelle: I have some concerns as well about the appointment of Mr Snobelen. I share some of the concerns expressed by Mr Martin and some of the concerns that were expressed by my colleague Ms Dombrowsky as well.

What I think disappointed me the most about the presentation by Mr Snobelen was the casual manner with which he treated this position. I would have anticipated that he would be more prepared to give us some well-thought-out comments on what role he thought he could play. This is a significant board in our province, and I do think it's important that we have people who are willing to put very much a clearly thought out effort into this. I was concerned by that.

I know there is a precedent for sitting members to sit on boards. Mr Pond gave me some material on that earlier, and I appreciate that. But still, I do think there have to be some concerns about that when there are other people in the province who I would think could do that.

I must admit, it was more the fact that there was an expectation Mr Snobelen appeared to have, and perhaps he wouldn't appreciate that, that this was going to be an automatic appointment whereby he would be welcomed quickly. We obviously treat the opportunity to interview people here very seriously. I was disappointed in the fact that he had given it no thought and wasn't particularly embarrassed to state that, that he hadn't given it a great deal of thought and looked forward to it. So I won't be supporting him as well.

The Chair: Any other comments by any member of the committee? If there are no further comments, I will call for a vote.

All in favour? Opposed? The motion is carried.

The next intended appointee we deal with is Mr Norman D. Beal, member, Ontario Farm Products Marketing Commission.

Mr Wood: I move concurrence.

The Chair: Any discussion?

Mr Johnson: I just wanted to address two things. One was the point brought up by the member for Hastings-Frontenac-Lennox and Addington and the difficulty with getting into, for instance, the dairy industry now with the purchase of quota. That is a problem. I don't know the solution to that part of it, but I don't want there to be any difficulty in making the decision—that is a problem, but to me it doesn't mean that we get rid of the good things with that. If we use the example of a farmer's son who can't afford to get into the dairy business because he can't afford the quota that is necessary, then we wouldn't have any auto workers, because if we did, all their sons would want to buy assembly plants, and I think the assembly plants in Oshawa are out of the realm of most people's financial capabilities.

I did want to just clear up that the farm marketing system was set up by farmers for farmers, for their industry, and that I support the marketing system and I support Mr Beal's appointment.

The Chair: Any other comments? If not, I'll call the vote.

All in favour? Opposed, if any? It's carried unanimously.

That concludes our consideration of intended appointees.

COMMITTEE BUSINESS

The Chair: The next issue I have listed is agency review proposals.

Mr Wood: I have a motion to put before the committee. I move that the committee approve in principle the review of a CCAC or CCACs and that the Chair be requested to put this matter on the agenda around September 1 or at any other time he may deem appropriate.

The Chair: Thank you very much for putting the motion. Any discussion on the motion?

Mr Gravelle: I am pleased to see that we'll moving forward with the agency review of the community care access centres and home care, particularly in light of the fact that we were so disappointed not to see more money put toward home care in this budget. I think it's even more significant that we discuss this. Certainly that was something we were expecting in the budget, and it wasn't there. I think it's all the more important that we have this review. We appreciate this, and I certainly will be supporting it.

Mr Martin: Just to add to those comments, there are some interesting things to be looked at here, including

the fact that in the past year there has been a hostile takeover by the government of that whole realm of health care delivery, with a wholesale replacement of boards and executive officers in some instances, and the fact that we're finding that more and more CCACs this year didn't spend their allotted budgets because they are claiming that the regulation within which they need to operate doesn't allow them to deliver the kind of service their constituencies need, so they've had to send money back. The government now is claiming that they are giving more money to CCACs when in fact all they're doing is returning the money that wasn't spent last year.

It will be interesting to have a look at that and see exactly what the reality is and why, and what comfort we have that next year these CCACs, even if they get the money back, will be able to spend it, given the regulation that's in place and the very tight control over that by government through these newly appointed boards that answer to nobody but the government. So I look forward to this.

Mr Wood: I would add by way of explanation that it's my intention that the Chair might put this on the agenda about 30 days before the Legislature resumes sitting, so that we can plan what's going to be done when the sitting resumes. That's why I worded the motion the way I did.

The Chair: Thank you for that clarification. I think that was in the form of a motion you put forward?

Mr Wood: I've given you discretion. I was suggesting to you the way in which it was my hope you might exercise it.

The Chair: Can we translate that in the form of a motion, then?

Mr Wood: No, I'm satisfied you have on the record—

The Chair: Oh, I didn't know you'd be that satisfied.

Mr Wood: We have confidence in—

Interjection: Twenty-five years' experience.

Mr Wood: —the 25 years' experience showing through with a very judicious determination based on the discretion we're giving you.

The Chair: This is such a—I won't call it non-partisan—multipartisan committee that develops consensus. Thank you very much for that vote of confidence, Mr Wood. We have that matter dealt with, then.

Mr Wood: Do we call a vote?

The Chair: Oh, yes. All in favour? Opposed? I knew that would go through unanimously. That's good stuff. Thank you very much, Mr Wood, for your help in that regard, and to members of the committee for your indulgence of that issue.

We have one intended appointee on the list so far, Yvonne Weir, to the Muskoka, Nipissing, Parry Sound and Timiskaming District Health Council, and the deadline would be July 7, 2002. May I assume—I won't assume anything. We can do one of two things: we can have a meeting I guess, next week, and deal with that. Is it next week, Mr Clerk?

Clerk of the Committee (Mr Tom Prins): Yes.

The Chair: Or we can put her together with some others that will be coming in the summer. That would require an extension.

What is the wish of the committee?

Mr Wood: I would ask unanimous consent of the committee to extend by 30 days the time permitted for consideration of her appointment.

Mr Martin: I have no difficulty with that, but I would like to see us make every effort to maybe get this thing done next week so it's off the table and we can move forward into the summer with a clean slate. We're going to be here anyway. It will take half an hour.

Mr Wood: I'm not strong either way. I'm merely putting that forward so the option exists. I think a meeting is likely anyway in July, and if we have only one person to deal with next week, we can leave that option open. But if there's a strong desire to do it next week, I'm certainly not opposed to it.

The Chair: Any other comments? If not, I think it would be useful at least to pass the motion that has been suggested, and then if we decide we want to have a meeting, I'll consult with the members of the committee through the clerk to see if it's convenient next week or not.

If we can vote on that motion: all in favour? Opposed? The motion is carried.

Any other business to come before the committee today?

Mr Wood: I move adjournment.

The Chair: All in favour? Opposed? Carried. Thank you very much, members of the committee.

The committee adjourned at 1123.

CONTENTS

Wednesday 19 June 2002

Subcommittee reports	A-1
Intended appointments	A-1
Mr John Snobelen	A-1
Mr Norman Beal	A-5
Committee business	A-11

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Wayne Wettlaufer (Kitchener Centre / -Centre PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Wayne Wettlaufer (Kitchener Centre / -Centre PC)

Also taking part / Autres participants et participantes

Mr Peter Kormos (Niagara Centre / -Centre ND)

Clerk / Greffier

Mr Tom Prins

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

A20N
XC19
- 652



ISSN 1180-4335

Legislative Assembly of Ontario

Third Session, 37th Parliament

Assemblée législative de l'Ontario

Troisième session, 37^e législature

Official Report of Debates (Hansard)

Tuesday 23 July 2002

Journal des débats (Hansard)

Mardi 23 juillet 2002

Standing committee on
government agencies

Intended appointments

Comité permanent des
organismes gouvernementaux

Nominations prévues



Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Tuesday 23 July 2002

Mardi 23 juillet 2002

The committee met at 1037 in room 151.

SUBCOMMITTEE REPORTS

The Chair (Mr James J. Bradley): Good morning, members of the committee. We're going to commence. I expect a member of the third party will arrive with us in some time.

We have three subcommittee reports to go through, and I will ask for a motion on each of them. The first is a report of the subcommittee on business dated Thursday, June 20, 2002.

Mr Wayne Wettlaufer (Kitchener Centre): I move acceptance.

The Chair: All in favour? Opposed? Carried.

The second is the report of the subcommittee on business dated Thursday, June 27, 2002.

Mr Wettlaufer: I move acceptance of the report.

The Chair: Mr Wettlaufer has moved acceptance. Any discussion? All in favour? Opposed? Carried.

The third is the report of the subcommittee on business dated Thursday, July 4, 2002.

Mr Wettlaufer: I move acceptance of the report dated July 4.

The Chair: Any discussion? If not, all in favour? Opposed? The motion is carried.

We now move to appointments review.

INTENDED APPOINTMENTS

BILL DAVERNE

Review of intended appointment, as selected by official opposition party: Bill Daverne, intended appointee as member, Town of Greater Napanee Police Services Board.

The Chair: The first individual before us is Mr Bill Daverne, intended appointee as member, Town of Greater Napanee Police Services Board.

Mr Bert Johnson (Perth-Middlesex): On a point of order, Mr Chair: I wanted to register my displeasure and my total disgust with having this committee meeting today. I don't know who decided and when it was decided, but to bring in visitors from outside Toronto on this day in particular, and I would put myself in that category—I think we need to have a look at how we're setting the dates. I assume it was the subcommittee, but if

I'm wrong on that, please correct me. I wanted to register my displeasure and disgust to the committee.

The Chair: Thank you, Mr Johnson. Your comments are duly noted and will be shared with members of the subcommittee.

Mr Daverne, as you know, you have the opportunity at the beginning for up to 10 minutes, which is subtracted from the government time—I won't say fortunately, because of course I'm an impartial Chair—to make an initial statement should you see fit. Welcome to the committee, sir.

Mr Bill Daverne: I appreciate this opportunity to speak here today. I live in Napanee ward in the town of Greater Napanee and have lived there for about 30 of my 47 years. I also have custody of the family cottage in Adolphustown ward at the extreme south end of the town. It sits on land that has belonged to our family since 1815, so I have both personal and family roots in the area. Indeed, these roots extend back to the arrival of the United Empire Loyalists in 1784. I care about this area: its past, its present and its future. My mother also lives in Greater Napanee, in a nursing home in Selby. She is 89 and suffers from Alzheimer's.

Every generation of my family has served the community in some fashion, and community is very important to me. Following Mr Steven Pengelly in this position, I have big shoes to fill. I will do my best.

I recall a time not so long ago, in the 1950s, the 1960s and even the 1970s, when area residents left cars unlocked in the driveway and downtown and left houses unlocked except during vacation. Today I know times have changed, from the personal angle—locking cars and homes—from what friends, neighbours and acquaintances tell me and from what downtown merchants fear and experience.

Unfortunately, petty criminals are active in our quiet community. They break into stores, houses, cottages—you name it. Drugs are an issue, parents tell me, and organized crime, mostly in the guise of biker gangs, I have been told, seek to recruit the petty criminals, giving them training, incentive and role models.

Now let me tell you something that was shocking to me. I wrote the foregoing paragraphs about a week ago in preparation for today's appearance and I wrote a little more that I won't be offering here today. The reason is that last Wednesday and Thursday I experienced local crime and police work in person. I am a victim. I will be

careful in providing details so as not to jeopardize the prosecution, but I can tell you that my house was burglarized last Wednesday afternoon in broad daylight. The thief took my notebook computer, my electric guitar and amplifier, a quantity of money in the form of loose change and silver dollars and even beverages from my refrigerator.

I had been gone for less than two and a half hours. I arrived home at suppertime and was stunned. Doors were open, lights were on, drawers rifled and belongings missing. I'm a writer, and my missing notebook computer contained several weeks of writing on a new book I'm working on. Unfortunately it had not yet been backed up.

I called the police. An officer arrived in less than 10 minutes. She immediately comforted me and efficiently established the facts and the timing window of the crime. Questions were asked, detailed notes were made and the professionalism demonstrated was of the highest order. Another officer was called to investigate the physical evidence for fingerprints.

The sense of violation is great when your house is entered and your things stolen. I knew that before, but now I know it from this very personal experience. The next day I did not want to leave home for fear the thief would come back for more, but I did, after securely hiding things and locking everything lockable. When I returned home I found a note from the police constable to call the detachment office. In less than 24 hours an arrest had been made and my property had been recovered.

I wish I could tell you more about the happy ending, but I can tell you why I believe it happened: excellent police work, which means many things—hunches, training, experience, understanding how the criminal element ticks in a particular community, professionalism and dedication. Our police and emergency services mean so much to us so often, and since September 11 we've learned even more just how much we depend on them.

Let me talk about why I wish to serve on the Town of Greater Napanee Police Services Board. First, our environment is very important to me. In 1972, 14 prisoners escaped from Millhaven maximum security prison, which sits less than five miles east of the town of Greater Napanee. Several of the prisoners were recaptured quickly, both by residents—one woman used a pitchfork—and by local police and military personnel. But others weren't, and one was apprehended many years later in Europe. This is an environmental issue for the town of Greater Napanee. Millhaven is only one of a handful of federal prisons in the area, housing many of Canada's most hardened criminals, including Paul Bernardo.

Right now in our municipality we have the Quinte Regional Detention Centre, which serves as the jail for Belleville and Kingston, the two large cities on either side of us. We don't want any more escapes, but when there are, we want to ensure we have the trained police force we need to protect our citizens.

Secondly, we have a growing population of senior citizens in our community and moving into our community. These people have worked hard in their lives and

should not have to spend their retirement years terrorized by criminals, whether they be break-and-enter scum or common scam artists.

Thirdly, crime has victims, and we must never forget that. It must drive us to strategies that prevent crime, protect our citizens, enable effective emergency responses and, in general, provide the law-and-order part of the social fabric which former Napanee resident Sir John A. Macdonald endorsed when the words "peace, order and good government" were imbedded as animating principles in the preamble to the British North America Act, which created the Dominion of Canada.

I want to do what I can to help our police protect our community's social fabric. My qualifications for this position are based on more than my age, residency and historical ties to the Greater Napanee community. I have some perspective. I have lived for a time in Ontario's four largest cities: Hamilton, London, Ottawa and Toronto. Indeed, I lived in London and Toronto for a combined total of over 15 years. I was even temporarily detained in London on December 7, 1975, as a police dragnet surrounded a car in which my friends and I were returning from a concert in Michigan. Police were on the lookout for a similar car full of perpetrators, and efficiently caught us without missing a step or squealing a tire. We were detained for only 10 minutes or so until our stories checked out, but it taught me lessons about how a police force does its job well. Let me tell you, when you're surrounded by five police cars and two paddy wagons, you want the police to be good at their jobs.

I have experience in covering Greater Napanee policing as a journalist. As a community reporter for the daily Kingston Whig-Standard in 1973-74, I regularly dealt with the local OPP detachment and the then Napanee Police Department. I witnessed their efforts at accidents big and small, serving and investigating with fire officials at fatal fires and working at various public events. I understand the way the media deals with the local police and the need for effective media liaison in the face of a strong and vibrant local grapevine.

I have served the community in a variety of organizations over the years. I was a Cub and Boy Scout, founding president of the Napanee Leo Club, which is a junior Lions club, and I've served as director of the Lennox and Addington Historical Society, vice-president of the Bay of Quinte branch of the United Empire Loyalists' Association of Canada, on the executives of two local political associations at the provincial and federal levels, and was founding chair of the Loyalist Landing Festival, which annually honours the arrival of the first pioneers who founded what is now the town of Greater Napanee back in June 1784.

My late father was a long-time local and area teacher, a town councillor in Napanee after retiring and served his community in a variety of other ways. It is in that spirit that I wish to serve my community on the Town of Greater Napanee Police Services Board.

The Chair: Thank you very much. I should note that Napanee will be hosting a national fastball championship

this summer—that's a little commercial for Napanee at this time. Since I do attend those from time to time, I'm sure that everyone will want to go to Napanee to view that event.

Anyway, be that as it may, the clerk tells me we now start with the NDP, the third party, and Mr Martin. What's going on in Sault Ste Marie?

Mr Tony Martin (Sault Ste Marie): No fastball tournaments, anyway. But there is a soccer tournament happening this weekend.

You're obviously a fairly busy and talented person. Why would you want to serve in this capacity? I know you laid out some of your experience and understanding of policing, but at this point in time in Napanee, why the police services board?

Mr Daverne: I think it's important that we offer ourselves for public service at a variety of levels and in a variety of ways, and I think I've finally reached an age where I can actually provide some perspective and help the community that way. I know a lot of people, I hear a lot of things and I think I can effectively represent what the public is thinking, as well as what is required for peace and security in the community.

Mr Martin: I know that when you become a victim yourself, your sensitivities are sharpened somewhat, and I appreciate that.

Outside of that, are there big issues in Napanee at this particular point in time where policing is concerned that you have an interest in or that you think you can contribute in some way to resolving?

Mr Daverne: Well, I think the police are doing a pretty good job. As I talk to them and members of the board in the future, I'm sure I'll have a better perspective on it. But if now is OK, I want OK to continue. If we can do better, I want things to be better.

We have the main transportation corridors of Canada passing through our town: the CNR, the CPR, the 401 and Highway 2. That means that if we have a little idyllic community, we can have bad things coming in from outside. So I would like to see, to a certain extent, that our community is protected.

1050

Mr Martin: What's your perspective on policing? There are certainly different views out there as to how you make a community more secure. There are those who would suggest we need more police and we need to get tougher, and there are those on the other side—and they're not always in conflict with each other—who suggest that if we deal with some of the more fundamental underpinnings of a community where the security of the community is concerned, things like people having adequate income and being able to participate in the everyday life of the community, we reduce policing. What would your approach be? What attitude would you bring to the police commission in terms of the long term and making our communities more secure?

Mr Daverne: I think there's a balanced approach. Certainly I think that if everyone had a job and was working, there would be less crime. I think we are exper-

encing less crime now than we would have, had employment not gone up in the last number of years. In our community we are seeing new businesses open, and that does enhance the environment within which people can work and live. I think it's a combination of things. You can't stop crime by police action alone. It takes more than that.

Mr Martin: What's your view on the concept of community policing?

Mr Daverne: I think it's not an "us and them" thing; I think it's an "us" thing. The police are part of the fabric of the community, and the neighbours who watch each other's property are very much a part of that whole process. Maybe I was spoiled growing up in Napanee, but the police in Napanee have always been role models and have always been people to look up to, and that's something I want to see continue.

Mr Martin: The role and the approach of community policing in my own community has added a new element of positive relationships. The police are involved in a number of different ways in community life on the streets, walking and talking and that kind of thing, knowing the community.

I understand from the notes that were prepared for us that the town of Greater Napanee contracts with the OPP. Will that in any way affect the ability of the police in that area to be part of the community, to do what we have come to understand as community policing? Does it take away from the familiarity of an area? I'm just thinking about a lot of small communities that have had their own police services and that are now contracting out to a police service that moves their people around quite readily and regularly. Will that present more problems than it will solve?

Mr Daverne: I don't think so. The OPP have been a very distinct part of Napanee culture from my earliest memory. When I was a youngster, which was before the 401 was built, the OPP station was on East Street in Napanee, just around the corner, and the OPP cars were always around town. The detachment office now is between the built-up part of the town proper and the 401, and there is a major presence in all cases. In my experience, the members of the OPP have always been part of the community, have been members of the Lions Club and things like that. I haven't seen an alienation.

Something that I think is an advantage is that we get highly trained, very professional officers. I think we can't underestimate the value of that.

Mr Martin: Thank you very much.

The Chair: We now move to the government.

Mr Johnson: We'd like to waive our time.

The Chair: The government has waived its time. We go to the official opposition.

Mr Michael Gravelle (Thunder Bay-Superior North): Good morning, Mr Daverne. I appreciated your opening comments very much. Obviously, given the experience you had, yourself being a victim of crime, it's had an impact on you, and you went into some length about your reasons for being interested in this. The one

thing you didn't mention, which I'm curious about and want to ask you about too, is your interest in politics, because we're always interested in how people get appointed to these positions.

Certainly in your resumé there are a couple of interesting things. One, you make reference to the fact that one of your interests is politics. I notice in your resumé too that, at least for a period of time, you were the editor and publisher of Bluelink News. I'm guessing that might be "Bluelink" as in "Conservative," but I don't want to make that assumption. There are also some other things. So I just wanted to ask, are you a member of a political party or have you been a member of a political party?

Mr Daverne: Yes, I am a member of both the federal and provincial PC parties.

Mr Gravelle: So you've been involved in elections at various levels, too?

Mr Daverne: Yes.

Mr Gravelle: Have you ever been a candidate?

Mr Daverne: No, I haven't.

Mr Gravelle: May I go from there to ask you how this appointment came about? Were you approached by a member of the government? In terms of the Napanee Police Services Board, it's the only appointment by cabinet. It's a three-person services board.

Mr Daverne: That's right.

Mr Gravelle: There's the mayor or reeve and a councillor, so it's the only position by cabinet. Were you approached, or could you tell us how the appointment itself came about? Did you express interest in it?

Mr Daverne: Well, when there was a change of leadership and Steven Pengelly joined Premier Eves here in Toronto—let me put it that way—his position became open and that was fairly public knowledge in all the papers. So I made some inquiries and applied for the position and was interviewed by the ministry, and that's—

Mr Gravelle: There was a level of comfort with that.

Thank you. I did want to ask those questions. I'd ask Mrs Dombrowsky if she has some questions as well.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Good morning, Mr Daverne. It's always very nice to welcome a constituent to Queen's Park. I'm sure you were heartened to understand that Mr Bradley will be visiting our riding for the softball championship that is going to be held there. I certainly intend to participate in that event.

Perhaps just to follow up a bit on the question Mr Gravelle has posed, am I clear in understanding that you initiated a contact to pursue this position?

Mr Daverne: Yes.

Mrs Dombrowsky: You were not called. Reading your background—and it's a very impressive background—there has been no past involvement with any kind of law enforcement activity. Is it an area that's sort of a new-found interest, or is it just an area where you thought, "Well, this is something new that I'd like to learn more about"? Have you had conversations with

individuals around law enforcement? Maybe you could expand on that a bit, please.

Mr Daverne: Sure. I studied Canadian politics at Western, and certainly law and order studies were part of that. But I guess what isn't in my resumé is that when I served for the government House leader, the Honourable Doug Lewis, in Ottawa in 1993, he was the minister of public security in the Kim Campbell government. It was a large ministry, and I was in on some of the conversations that were going on in terms of public security planning and that kind of thing. So that certainly was one of the first times I sort of saw it from that perspective and how it doesn't just happen; policing is something that a lot of people carefully think about. So from that perspective, that was one of the things that made me interested in it. When I heard there was going to be an opening, I thought, "Maybe I'll look at that."

Mrs Dombrowsky: As you know, my office is in Napanee, and I think it's a wonderful community. I certainly agree with you that the Ontario Provincial Police do a very fine job. But you know, like every government agency that does its very best, in spite of their best efforts there are those people who have other opinions. People have complained to me about the services they receive from this fine force. How would you respond if someone came to you with a complaint around the service?

1100

Mr Daverne: If somebody came to me and complained, I would listen. I think that's a really big part of this job, especially at the start: to listen to everybody. I have been talking to a lot of people and getting their opinions over the last two or three months. I think that's the only way.

I can't tell you how it works from the inside now because I don't know, so I am very interested in finding out. No service organization has a 100% record, but they all strive to.

Every time I have been pulled over by RIDE or have seen cause to have any interaction with the police at all, especially in our community, I have been very impressed. So I think there's good leadership at the top. I guess I'll soon be meeting that leadership, or I hope to.

I think that in anything you do you can always strive to do better and I'm sure that good leadership is pursuing that.

Mrs Dombrowsky: In preparing for this role, have you met with the staff sergeant, for example, or members of council to indicate your interest in pursuing this role?

Mr Daverne: No, I have not.

Mrs Dombrowsky: Finally, with regard to the community: I live in a community where community policing has been a program under way for a number of years and I know that it's so very well received within the community and is, I think, effective.

With regard to policing issues in the town of greater Napanee, which is quite an area now, could you list what you might understand today to be two areas of concern or areas where improvements can be made?

Mr Daverne: I think until you have all the drinking drivers off the road, that's always something where you have to come up with new strategies. When I go out to get gas from where I live on Graham Street in Napanee, there's typically a RIDE stop underneath the railway tracks. Personally, I think that has done a lot to change the way people drink and drive. I think it made people think twice about it. There are probably bars and hotels in Napanee that have noticed a change in their clientele because of that. So I think that's very positive.

The issue of breaking and entering, and it was a concern of mine before last week, is huge and will continue to be for every victim until there's only one victim. It doesn't matter. The sense of violation that I felt was tremendous. It went beyond what I expected, to be quite honest. I thought I could handle it. So I hate to think that people can live in fear, whether it's a house invasion or that kind of thing.

I think the visibility the police have in Napanee is very important in showing that they're something to be reckoned with. There are things being done right now that are very good.

Mrs Dombrowsky: You made a statement that there's less crime now. Did you get that from research you did?

Mr Daverne: No. It's totally instinct. I would say there's less crime now because more people are working.

Mrs Dombrowsky: That's purely your opinion, though. That's not a statistical fact.

Mr Daverne: Absolutely. That's my opinion.

Mrs Dombrowsky: OK, because I would be really curious to know if that in fact is the case. It would be great if it is.

Mr Daverne: It's hard to prove.

Mrs Dombrowsky: I'm sure that the OPP do keep those statistics, so it would be interesting to see if that is the case.

Just one other comment: crime has victims; it certainly does. Do you ever think criminals are victims? Would that be possible?

Mr Daverne: If criminals can be victims of society? Is that the kind of thing—

Mrs Dombrowsky: Yes.

Mr Daverne: I think one would have to stretch it to say that criminals are always victims. Some criminals have been victims when they were young, if they were abused in one way or another, whether physical abuse or sexual abuse. Then they pass on the victimization in some cases. These things are well documented. So a healthy functioning society needs to look at all its citizens and what we can do for everybody.

Mrs Dombrowsky: I agree.

The Chair: That is all of your time.

Mrs Dombrowsky: Thanks very much.

The Chair: Your time has expired, in other words, right now. That completes the questioning by the committee.

Thank you very much, Mr Daverne, for appearing before the committee. You may now step down.

Mr Daverne: Thank you very much.

PINA SAURO

Review of intended appointment, selected by official opposition party: Pina Sauro, intended appointee as member, Ontario Rental Housing Tribunal.

The Chair: The next intended appointee is Pina Sauro, intended appointee as member, Ontario Rental Housing Tribunal.

Welcome to the committee, Ms Sauro. You have the opportunity, as you probably know, to make an initial statement should you see fit. Subsequent to that, there will be questioning from the members of the committee.

Ms Pina Sauro: Thank you, Mr Chair and committee members, for this chance to appear before you today. I want to start off by telling you why I have pursued this opportunity of being a member of the Ontario Rental Housing Tribunal.

As you can see by the resumé that's been provided to you, my educational background and my work experience as a civil servant have been in the area of community and social services. I see this opportunity with the rental housing tribunal as an extension of this and also as a way to continue to serve the community, a community that includes tenants and landlords, both of whom have rights and responsibilities under the Tenant Protection Act.

I would like to have the opportunity to serve as a member of the rental housing tribunal and to adjudicate on matters of dispute between landlords and tenants because I believe I have the skills to be able to do this well. My educational background includes a degree in social work and a certificate in human psychology. Through professional development opportunities, I have taken numerous training courses which have included areas such as conflict resolution, mediation, customer service, facilitation, interviewing techniques, leadership and coaching, workplace harassment and human rights, as well as inclusion and diversity.

I'd like to highlight aspects of my work experience that I think are relevant to the appointment I am seeking with the tribunal. As a front-line caseworker with the community services department of the city of London, my job was to administer the General Welfare Assistance Act, later becoming the Ontario Works Act, and its relevant guidelines and policies, and to render eligibility decisions that were accurate, fair and impartial. I had the privilege of gaining the trust and respect of the customers I served, and I gained this trust and respect because clients knew I recognized that they were coming to our office to request assistance at very difficult times in their lives and that I would do the best I could within my authority and within the legislation to help them. I understood as a caseworker that I had a responsibility to be accountable to the clients I served, to the province on whose behalf I was hired to administer the legislation and policies, and to the taxpayer who contributed financially to the programs I delivered.

Subsequently, as a manager of a team of front-line staff in the community services department, my respon-

sibility was to ensure that in each and every one of the 2,500 cases my particular team handled on a monthly basis, which translated into approximately \$18 million a year, the proper eligibility decisions were made and clients received the benefits to which they were legislatively entitled.

I was able to foster important principles such as fairness, accountability and excellent customer service within the resources that we had available. As part of this position, I was responsible to conduct internal reviews of appealed decisions and to assess cases on the merit of the information that was presented. I was required to communicate with third parties pertaining to the clients' situations, including landlords, utility companies, employers and advocates, as well as with MPs and MPPs who were representing their constituents. During this time I also participated in policy development where the legislation provided us the discretion to do so.

Following that, as a manager of staff training and development I implemented an intensive six-week training program for new recruits. One important part of the rigorous training involved teaching staff how to effectively interpret and apply the legislation and its corresponding guidelines and policies. During this segment of the training program, I spent considerable time challenging new staff to recognize their personal views and opinions, especially where those views might conflict with the legislation that they were responsible to apply and uphold in an impartial way.

1110

Without fail, at the end of each training program graduates of the program came up to me to tell me that the legislation part of their training was the most difficult and challenging, but at the same time it was the most rewarding because it solidified in them a strong sense of professional ethics. Years later, people still come to me to tell me how important that part of the training was as they've continued successfully in their careers as administrators of the legislation.

In my more recent positions with the community services department I've been involved in policy and program development as well as communications. These positions have allowed me to further develop the ability to understand changing trends in legislation and to be able to assist in the development and implementation of new programs and services. The positions have required that I maintain regular contact with representatives of regional ministry offices, both the Ministry of Community, Family and Children's Services as well as the Ministry of Health and Long-Term Care.

I've written and presented countless reports to various audiences, ranging from neighbourhood and community groups and steering committees to standing committees of municipal council, from front-line staff to senior managers as well as politicians at all levels of government. In each case the communication style and the approach had to be tailored to the audience, often requiring the ability to explain complex concepts in a straightforward way and in plain and clear language.

When I was selected to be interviewed by the chair and two vice-chairs of the rental housing tribunal, I was sent a large volume of information, including the relevant acts, the guidelines and the rules, to review prior to the interview. Also included in this package was a description of the position and the key skills and attributes required to be a member of the tribunal. I'm not sure if you have that in front of you, but I thought I would highlight some of those today.

The position requires the ability to interpret, explain and apply legislation in a fair, impartial and consistent manner. It requires the ability to deal with various clients in emotional and sensitive situations; it requires the ability to exercise tact and discretion when managing volatile and confrontational situations; it requires excellent oral and written communications skills to explain the relevant legislation in rendering decisions; it requires the ability to apply strong analytical skills to objectively assess cases involving issues, often with conflicting information; it requires the ability to make calm, impartial and fair decisions; and it requires the ability to exercise a high level of judgment. I'm absolutely confident that I have all these skills and that I can live up to the expectations of this position.

As a caseworker and as a manager in the community services department in London, the eligibility decisions that I made were rarely appealed. If one of my decisions was appealed, it was often appealed on the basis of a challenge to the legislation or the policy as opposed to the decision I had made.

In both the personal and professional aspects of my life, I've built a reputation of being a person of integrity, fairness, maturity, sensitivity and common sense. I'm analytical. I make sound decisions that are based on careful consideration of the facts in front of me.

As I'm sure I'll be asked, I will tell you that I'm a cardholding member of the provincial Conservatives. If you're wondering whether that might impact on the way I would carry out my role as a member of the rental housing tribunal, I can assure you that it will not. I clearly understand the role of the tribunal: to render orders on disputes between tenants and landlords in accordance with the Tenant Protection Act and the rules and guidelines. I will remind you that I have extensive experience in applying legislation in an impartial way.

As you can see from the dates on my resumé, I've been a civil servant for the past 17 years—most of my adult life, in fact. Throughout this time I have successfully and impartially applied the policies of a Liberal government, an NDP government and now the Conservative government.

In closing, I want to again express my thanks to the committee for the opportunity to be here today. I must tell you that the whole process has been an interesting one, and I'm glad to see the scrutiny that is involved in appointing someone to a government agency such as the rental housing tribunal. It's an important role and it's not one that I've entered into lightly. I look forward to any questions.

The Chair: Thank you. We move to the government.

Mr Wettlaufer: We'll waive our time.

The Chair: The government has waived its time. We now move to the official opposition.

Mrs Dombrowsky: Good morning, Ms Sauro. Thank you very much for coming to Toronto today. I think it is important, and I'm happy to hear that you understand that. Because of the significance of the role, I think it's important for the people of Ontario to understand that we take that very seriously here and we want to ensure that when individuals are appointed to such a role, we've had an opportunity to confirm that they have the related experience that would and should enable them to perform well in the intended role.

You indicated, and I appreciate your candour, that you are a member of the Progressive Conservative Party. I am interested when I see that someone has been a civil servant for 17 years, and now you're going to leave that role and all the security it would have for you, to assume a full-time position on the Ontario Rental Housing Tribunal. How is it that you came to be aware of this opening? Were you approached? Did someone suggest that you would consider this, and if so, who might that have been?

Ms Sauro: I was aware of the tribunal and other committees as well, like the Ontario Municipal Board and so on, through my work and past experience.

I pursued the position. What you've just described is what I've been thinking about for the last couple of years, because at this stage of my life and after 17 years of being involved with one employer—and I started with the city actually right after I graduated from university—I was at a point of my life where I needed to decide whether I should branch out to something else or whether I would stay with the city. I knew that I wanted to stay in London. I knew that I wanted to stay in a position that would allow me to continue in the same vein as what I had already done in community services. So I sent a resumé in to the appointments office, and that's how it started.

Mrs Dombrowsky: How was it you were aware that there was a vacancy?

Ms Sauro: I wasn't aware at the time that there was a vacancy. I sent my resumé in a while ago. Actually, when I first sent my resumé in, I believe my cover letter spoke about the Ontario Municipal Board at the time. I indicated at that time that if there was a position with the rental housing tribunal, I would be interested in that.

Mrs Dombrowsky: So initially your interest was with the OMB.

Ms Sauro: It's where I started, yes. The OMB, because of my municipal experience, was also sort of an extension of that as well.

Mrs Dombrowsky: I understand. You've indicated you're a card-carrying member of a political party. There are various levels of participation in political parties. Have you had any other role? Are you a member of the executive? Have you participated in any campaigns?

Ms Sauro: I participated in a limited way in campaigns in the past; in one campaign, actually, in the past.

Mrs Dombrowsky: What campaign, please?

Ms Sauro: Frank Mazzilli's campaign. And I have contributed financially, and basically that's it.

Mrs Dombrowsky: Are you in any way connected to Mr Mazzilli?

Ms Sauro: Yes, he's my brother-in-law.

Mrs Dombrowsky: Your brother-in-law. Thank you very much.

With regard to the Tenant Protection Act, you indicate that you've had an opportunity to review the related acts that you would be dealing with. Are you familiar with problems that people encounter with this act?

Ms Sauro: I'm familiar with what's been discussed in the media and reports and studies that have been done. I know that there are concerns that have been raised, but as an adjudicator my role would be to adjudicate the decisions—

Mrs Dombrowsky: I'm aware of what your role will be, but in your previous role in the community services department at the city of London, I'm sure you would be aware that there are many people who are experiencing problems with the act as tenants try to deal and manage with timelines and so on.

Ms Sauro: I'm aware, not from personal experience, but from studies that have been written and from media reports as well. Yes, I am aware.

Mr Gravelle: If I could just get back to your connections in terms of the position you'll be taking over, and I acknowledge very much so that with your background you would seem to be someone who would be very sensitive to the needs of the position, although I have some questions about the rental housing tribunal I'd like to ask you as well. But I hope you appreciate and don't find it upsetting when we ask questions that are political in nature, because I think people want to be assured that political connections are not being used inappropriately or whatever. I guess then the question would be, in that you have some relationship with a sitting member, whether or not he was able to help you through this process at all in terms of getting to this place.

1120

Ms Sauro: Initially I contacted Frank's office here in Toronto to find out where I would send the resumé, to whom specifically I should address it. That was the extent.

Mr Gravelle: But did he shepherd this through in any fashion at all in terms of the process? I just think it's important for people to understand how appointments are made—

Ms Sauro: Sure.

Mr Gravelle: —and obviously that's one thing we need to be sensitive to. So there's no other—

Ms Sauro: No. Like I said, I submitted my resumé, and then the contact I had was through the appointments office, asking initially whether I would be interested in a part-time position. Because of my employment with the

city, I thought it would be a conflict to be employed with the city and be a part-time member of the rental housing tribunal.

Mr Gravelle: Will you be taking a leave from the city? As Mrs Dombrowsky was pointing out, this is kind of a big step. This is not a lifetime appointment—at least I don't believe it is—so it is quite a decision to make.

Ms Sauro: I would be leaving the city; I would not be taking a leave. Yes, it is a big step, and as I said in my opening comments, it's not one that I've entered into lightly; it's only after a lot of thought. I think it's something that I can do well, and hopefully at the end of three years I'll be able to explore other opportunities. But I just felt that it was a point in my life where I wanted to make this decision.

Mr Gravelle: Certainly the tribunal has become very much more active, or very active, since the Tenant Protection Act was put in place. I'm curious as to your thoughts on what impact the Tenant Protection Act has had. Basically I think what has happened with vacancy decontrol or whatever, really the loss of rent control in essence, is that with the movement of tenants in our province, over a five-year period about 70% of tenants move. That means landlords are obviously in a position to raise rents to whatever level they are able once the person vacates the apartment. I'd love to have your thoughts on that particular act. We consider it a bit of a misnomer, may I say, calling it the Tenant Protection Act, but I'd love to have your thoughts on that, because clearly it has impacted on the number of cases that the rental housing tribunal has had in place.

Ms Sauro: In entering into something like this, it's like I said earlier: my position as an adjudicator would be to adjudicate on the information as it's presented, looking at the legislation as it's written.

Mr Gravelle: I appreciate that answer. It's an answer, of course, that we get frequently from people who are being appointed to positions not unlike yours, other positions in other agencies, boards or commissions, which is that they have to simply follow the legislation. But do you not think it's a responsibility as well of the people who are assuming these positions to look at what they see in place and make recommendations at least internally if they think there are some changes needed, or try to find some flexibility?

Obviously, if you are simply following the legislation, that can be—does it need to be interpreted totally restrictively, or do you feel it can be interpreted in a more humane manner at times? That's what always interests me when people say that. Again, I understand why they say it. It's just that you would think, being in that position, that much as I'm sure you've got a lot of thoughts about the social service field based on your years of experience—I guess my question is, do you think it's appropriate or something you should be thinking of in terms of looking at what you are asked to do and seeing perhaps the flaws in the system and seeing some changes, or perhaps even saying you think it's working very well?

Ms Sauro: I understood from my interview with the chair and vice-chairs that there are regular meetings with the members of the tribunal. I'm not sure what the opportunities are in that forum to bring forward any opportunities I might see for improvement, but whatever I could do within my authority, whatever I would be allowed to do, that would be the opportunity I would take.

In response to your question about applying the legislation strictly or humanely, as I described earlier, when I was a caseworker and a manager dealing with people in very difficult situations—and I can equate those situations, very much so, to the situations that I think would come before me with the rental housing tribunal—I always did my best to make sure I treated people with respect, sensitively and humanely, and fairly and equitably. Sometimes a piece of legislation allows for some flexibility and judgment. I think it's inappropriate for the legislation to be applied in the same way in different cases. It needs to be applied equitably, so that its intent and its policies are applied to those particular circumstances.

Mr Gravelle: I think it's very important too.

The Chair: This is your last question.

Mr Gravelle: The former Minister of Community and Social Services is here too. I know that when you look at people in the ministry working in municipalities, certainly the way they treat people can have an extraordinary impact on the decisions they make. There is that kind of flexibility, and I think that needs to be in place. But of course it comes with a certain attitude, and based on what you said, you seem to have very strong feelings about treating people with dignity and respect, so I trust that's how things will end up.

The Chair: Thank you very much. Before I move to the third party, I want to note that Mr Mazzilli, who is a member of this committee, has absented himself during consideration of this appointment and will absent himself from voting on this appointment.

The third party.

Mr Martin: I don't think that anybody who is in any way tuned in to the public life of this province doesn't understand that one of the huge issues facing us at the moment is the question of homelessness and finding proper and affordable homes for families and other people. Any of the studies that have been done over the last three or four years—and there have been many—have indicated there are a number of reasons for the difficulty we're seeing, one being that the senior levels of government have gotten out of the business of building affordable social housing. The other is that the rules surrounding the rights of tenants versus landlords have changed significantly and the pendulum has swung.

It would seem to me that in a regime where we're not building social housing any more, we need to be ever more vigilant to make sure the rules guiding the relationship between landlord and tenant need to be fair, and in administering those guidelines at the very mini-

mum we need to have impartial, objective overseers, which is what you're being appointed to here.

The concern I have is that all this difficulty experienced by people trying to find homes in Ontario is driven by a very right-wing Conservative regime or approach, and now we're about to appoint somebody who belongs to that political party to the very body that is supposed to, at the very least, objectively oversee this. Should I have a difficulty there? Does it not run up a red flag or present a challenge to a person elected to give leadership, to be responsible for the public life of this province? Shouldn't I be concerned about that?

Ms Sauro: As I said in my opening comments, I don't think there is any reason for you to be concerned. I have a long history of working as a civil servant. Throughout that time I administered legislation and policies of the Liberal government, the NDP government and now the Conservative government, and I've always done that in an impartial and fair way to the best of my ability. So I don't think there's any reason for you to be concerned.

I agree with you that homelessness and affordable housing are an issue in London, Toronto and in many urban centres in Ontario and across the country as well. I think it's a very complex one that involves many issues, including physical and mental health, finances and so on.

As a member of the tribunal I would do my best to make sure I apply the legislation and the guidelines as they're written, and I would trust political leaders, community advocates and community organizations to bring forward concerns, as they have—I'm very aware of the reports that have been written—to bring those issues forward. Then I would trust the democratic system we have to make sure there is a forum that allows healthy and informed discussion that would result in adequate policies.

1130

Mr Martin: So what you're telling me is that if there was an issue before you and you had to make a decision, you would be able to set aside your political affiliation and make that decision in a fair and equitable fashion for everybody concerned.

Ms Sauro: Absolutely. Without question.

Mr Martin: Would you agree with me, in a position such as this, that it not only be important that we hear from you that that would be your intention but that in some way it would be important that we feel so comfortable about this that you might want to consider dropping your affiliation politically in order to be as objective as possible? Is that something you've thought about?

Ms Sauro: It is something I've thought about. When I received the package prior to my interview with the Chair, there was a conflict-of-interest guideline and code of conduct. The conflict-of-interest guidelines don't require me to withdraw, but if I ever felt there would be a conflict, I would.

It's just like being an employee of a municipality. The conflict of guidelines allow that with the approval of the Chair you may still be employed by a municipality, but

I've chosen not to take that route because I don't want there to be any conflict whatsoever.

Mr Martin: OK. Thank you very much.

The Chair: That will complete the questions.

There's been a request to call consideration of this appointment at this time. The reason for that is that Mr Mazzilli could return to the committee. Mr Baird is here for that consideration.

Do we have the permission of the committee to do so? Agreed.

I will now call for the consideration of Pina Sauro, intended appointee as member, Ontario Rental Housing Tribunal.

Mr Johnson: Mr Chair, I'd like to move concurrence.

The Chair: Concurrence has been moved by Mr Johnson. Any discussion?

Mr Martin: I have some real serious reservations about this appointment. It is no reflection whatsoever on the track record of the applicant. I have no reason not to believe what she has shared with us and what is in her resumé in terms of her contribution over the years and her ability to adjudicate. But she's now entering into a realm, the provincial realm, where politics plays a very important role. I don't think there's anybody who would deny that. Our approach to various public policy issues is very much driven by where we come from and our political affiliation.

We have in front of us in Ontario, and across Canada, actually, but Ontario in particular, and in this city, a problem of very serious proportion where housing and homelessness are concerned. We need to get our heads around it. We need, instead of studying and reviewing and setting up boards and commissions to give advice, to actually be taking some action.

But short of us not doing that, at the very least we need to be able to offer people in a circumstance where they're being evicted—and I'm told that on average there are about 100 people a day evicted in the city of Toronto right now. We need to make sure that people who are appointed to the various tribunals are as objective and nonaligned as possible so that we, all of us who have been given responsibility and leadership at the provincial level to deliver housing to people, can at least be comfortable that the laws, even though they've been changed—again, study has been done to indicate that that change has tilted the table significantly in the direction of the landlord. We're losing subsidized housing units in a major way, every day that goes by, as people are evicted or leave their accommodation. Given that change and the fact that we haven't had any social housing or affordable housing built in this province in probably close to 10 years now, the very least we can do is do everything in our power to make sure that those who are appointed are as objective as possible.

We have before us today somebody who very honestly has proffered that she's a member of the Conservative Party and as such is not at this point considering tendering that or turning it over or leaving that connection behind in moving forward to participate at

this level. So I have some very serious concerns that this job, which is so important at this particular point in our history, will not be done in a way that is as completely objective, both in fact and in perception, as is absolutely possible. So I will be voting against it.

The Chair: Thank you for the comments. Any other comments or discussion on the appointment?

Mr Wettlaufer: I'm a little bit taken aback by the opposition of Mr Martin. I think we all know that while well-intentioned he may be, he is a left-wing socialistic idealist, and left-wing socialistic idealists are usually not realistic. I think this is evident in his comments today. I think it's pretty evident to all of us that the only one who would meet his satisfaction is someone who shares his left-wing idealist views. That's all, Chair.

The Chair: Mr Johnson, you had your hand up.

Mr Johnson: I'll try to be brief but I did want to put on record my comments, and that is that the only decision I have to make is whether or not this applicant should be held back and discarded because she's known and related to a member of this committee.

Frank Mazzilli is a well-known, well-liked and well-respected member of the provincial Legislature and of this committee. When I first became aware of this applicant's relationship, my only decision was whether or not that should disentitle her to make a contribution to this very important committee. Yes, there may be those who have problems with the act that she will be asked to rule under, but I wouldn't want to think that we in our own partisan positions, as members of provincial parties and of the Legislature, would feel that should disenfranchise her from making a contribution to the committee. Those are the comments I wanted to make.

The Chair: Any further comments before the vote?

Hon John R. Baird (Associate Minister of Franco-phone Affairs): I had the opportunity to review the intended appointee's resumé. I think it shows a huge amount of background in the sector at the public service level. I thought her presentation today was thoughtful. She demonstrates a lot of knowledge of the issues. After seeing her speak, I would hardly label her a carping right-wing ideologue with an axe to grind. I think she'd serve the province well.

The Chair: Anything further?

Mr Martin: A recorded vote.

The Chair: A recorded vote has been requested by Mr Martin. If there is no further discussion, I will call the vote now.

Ayes

Baird, Hardeman, Johnson, Wettlaufer.

Nays

Dombrowsky, Gravelle, Martin.

The Chair: The motion is carried.

We now move to Vickie Campbell, intended appointee as member, Ontario Council of Regents for Colleges of Applied Arts and Technology.

Interjection.

The Chair: She's been delayed in traffic, so we will move to the next one.

1140

RAMONA PANG

Review of intended appointment, selected by official opposition party: Ramona Pang, intended appointee as member, Ontario Film Review Board.

The Chair: I understand our next intended appointee is here. We will move to our next intended appointee, then: Ramona Pang, intended appointee as member, Ontario Film Review Board. Welcome to the committee, Ms Pang. As you probably know by now, you have the opportunity to make an initial statement for up to 10 minutes and then you will be questioned by members of the committee if they have any questions for you. So I will allow you to begin.

Ms Ramona Pang: Good afternoon, Mr Chairman and members of the committee. It is with great pleasure that I present myself to you this afternoon for your consideration for the Ontario Film Review Board. I'm Ramona Pang, a registered nurse, doctor's office manager, wife, and mother of four children ranging in age from 14 to 22.

My family immigrated to Canada from Taiwan, my birthplace, in 1968, when I was 13 years old. Therefore, I came to Canada well grounded in Asian culture and speak fluent Mandarin, the official Chinese language, and the Cantonese dialect. In addition, I frequently speak both Mandarin and Cantonese and regularly watch Chinese movies and programs and read Chinese newspapers. Thus, my command of these two languages continues to be strong, while the programs and literature I enjoy keep me abreast of new vocabulary.

My varied work experience has broadened my outlook by bringing me into contact with people from a wide range of different ethnic, cultural and linguistic backgrounds.

As a registered nurse in Toronto, I saw people's strengths and weaknesses as well as their tragedies and triumphs. My relatively sheltered little world expanded immeasurably as I learned life's lessons through my patients.

Then later I operated a fine china shop in the heart of the tourist area of Niagara Falls. There I dealt with a broad spectrum of people from a commercial point of view and learned a great deal about human nature and other societies.

For the past several years I have been the manager of a busy doctor's office. In this capacity I meet individuals of all types and backgrounds from the community and therefore have gained a valuable understanding of human needs and concerns.

As a result of my work, I feel that I am perceptive, empathetic, and welcoming toward differences.

In my personal life I am a very busy and involved wife and mother of four children. My daughters are 14 and 16, and my sons are 20 and 22. My husband and I encourage our children to become the best they can be. Therefore, we encourage them to be productive, responsible, moral and involved. We want them to balance duty with relaxation through sports, music, and fun with good friends.

To juggle everything and meet everyone's needs, I have had to become a good problem-solver with good organization and time management skills. People tell me that I'm a fair-minded person who can be objective. They like what they call my common sense, dependability and sense of humour. I find all this praise rather embarrassing because I'm basically a very modest person.

Finally, I do have broad interests that include the arts and tennis.

Certainly here the key point about my interests is that I enjoy movies both as entertainment and as an art form. I would therefore consider it a pleasure to be on the Ontario Film Review Board. It is an organization to which I would bring all my knowledge, skills, experience and interests. Thank you.

The Vice-Chair (Mr Michael Gravelle): Thank you very much, Ms Pang. We begin with the official opposition: Mrs Dombrowsky, if you have any questions.

Mrs Dombrowsky: Good morning, Ms Pang. Thank you very much for taking the time to be with us this morning. I think this is a very important appointment that you would be intended for.

Just a couple of general questions. Do you think that the media impact the behaviour of society?

Ms Pang: Yes, I do. Very much so.

Mrs Dombrowsky: You are the mother of four children, and as a mother of four children certainly I've become acquainted with the importance of video games, for example. So when I interview people who are intended to be appointed to the Ontario Film Review Board, I always make a point of asking about video games. You are probably aware that at the present time they are not subject to any rating. I've had conversations with parents of children the ages of my children who are concerned about the violent content of video games. As technology advances and as video games become more graphic and more realistic, this is a very serious issue, particularly for parents who have younger children. From time to time they send them off to the video store and they assume, "Well, I know that they can't buy a restricted movie," if they're a certain age. But they can basically rent a video game that would be as violent and as graphic as a restricted movie. At the present time, there isn't any regulation in the province of Ontario around that.

Do you have an opinion about that? Is it an area that you think probably should be regulated?

Ms Pang: I agree 100% with what you have mentioned. I do find that because a lot of the families today are two-income families, a lot of times the parents

allow these video games to take place as babysitting tools. What you say is so true. We have to be so careful with video games, as much as we are putting a lot of input into the classification of films. I do agree that the video games should perhaps in the future have the same type of rating to allow the general public, children and families, to make their choices more wisely.

Mrs Dombrowsky: You probably are aware, because I'm sure you've received the same background that we have, that in other jurisdictions it has been argued that the video game industry should be encouraged to self-regulate in this particular area. Do you believe that would be effective in assisting families to ensure that their children would not have access to inappropriately violent or graphic video games?

Ms Pang: Are you saying that maybe the regulations should come from the—

Mrs Dombrowsky: From the industry. That has been offered in other jurisdictions. Do you have an opinion on that?

Ms Pang: I think that would be something that would be moving in a positive direction. That would certainly be something that is a good direction to go with.

Mrs Dombrowsky: But, Ms Pang, I think you either have to be in favour of regulating it legislatively or allowing the industry to regulate it. I guess what I'm trying to understand from you this morning is, do you have a particular bias in either direction? Is it something that you think should be regulated by government legislation and regulation, or is it something that you think the industry itself should be looking after?

Ms Pang: I don't know if—I'm actually very new in this whole area.

Mrs Dombrowsky: That's fair.

Ms Pang: So I really don't want to make any comment as to something that I have basically very little knowledge of. But I certainly think it would be a good idea. To a certain extent, I guess, it might be helpful.

Mrs Dombrowsky: I certainly have received a sense from your comments that it's an area that you think needs some attention and that you can appreciate why there are families in the province—certainly I have spoken with families in my community who are concerned about video games particularly. You know, now is the summertime. Now is the time when kids have some time at home and they can spend a good deal of time in front of the television on a rainy day. Parents that I talk to are really disturbed by the fact that their youngsters can just go to the store and rent some games, and they are surprised by the level of violence and the kind of graphic—it's almost lifelike. You have to really look very carefully to distinguish that it's not a real human being that has had their head cut off, with all the disturbing graphics that that has. So I guess I am satisfied that you see this as an area of concern.

1150

In terms of the Ontario Film Review Board itself, you know that there are two schools of thought or camps out there. There are those folks who say, "You're not

being"—I don't want to say "tough enough," but that there are a lot of videos and other visual media being allowed that shouldn't be. "That's too graphic; that's too inappropriate." Then there are those on the other side who are saying, "We shouldn't even have this. We live in a country where we are guaranteed freedom of expression under the constitution." You probably are aware of some of the judicial issues around that whole argument. Given that there are those two camps out there, maybe you could talk to me about why you think it is important to have an Ontario Film Review Board and exactly what you see its role being.

Ms Pang: I understand the role of the Ontario Film Review Board is to classify, thereby allowing the viewer to choose the types of movies or films they would like to see, because everyone has different interests and tastes. So I do see that the immediate and important role of the film review board is not so much on the censorship side but on the classification side of it. I understand that the board also has public evenings. They bring out the public to have them voice their input—I thought that was very, very good—perhaps twice a month instead of once a month, that type of thing. Because we live in a society with different cultural backgrounds, a multicultural society, especially in Toronto alone, you try to please everybody, and that's just not possible. So I think they try to do their best by having different members from varied communities and cultural backgrounds sit on the board and thereby do their best to accommodate the community.

Mrs Dombrowsky: Thanks very much.

Mr Martin: Thanks for coming today. Just the fact that you've got four children means that you're very, very busy. Why would you want to spend the kind of time that's going to be required? We've had people before us who talked about the commitment that's necessary to really do this job effectively. Why would you want this appointment?

Ms Pang: I see the importance of the Ontario Film Review Board. Bringing up four children, I go through this almost every day, making sure the kids are not into movies that they're not supposed to be into. So I really think it's very important that the board see an importance in this area. Particularly, I love watching movies. I was told that they have been increasing foreign films, particularly from Asia, so they require someone like myself with the language skills and the background who might help to classify the films.

Mr Martin: How did you find out about this appointment?

Ms Pang: Mr Bart Maves. Our local MPP's office called my husband's office and asked him if he knows of someone who has an Asian background and the language skills to sit on the board. He mentioned it to me, and I thought, "Well, you know, I think I qualify," for one thing, and I'm interested because of the importance of the film review board's job, and I thought I'd give it a try.

Mr Martin: Are you a member of the Conservative Party?

Ms Pang: I do have a membership with our local Progressive Conservative Party riding.

Mr Martin: The focus of the board is on community standards and trying to have what's offered by way of film etc reflect in some way—or at least be categorized so we can apply some community standards. What's your view or understanding of community standards?

Ms Pang: We have varied community standards, because someone from Toronto has a different community standard as opposed to someone from Niagara Falls, such as myself. Again, it differs with their background, their culture and their beliefs. So I think for community standards, the film review board has tried to recruit members from different communities to sit on the board and therefore give their own input from each community. What I think "community standard" would be is individuals with different backgrounds.

Mr Martin: Are you aware of any of the decisions that have been made by the board over the last couple of years that have created some controversy?

Ms Pang: Somewhat.

Mr Martin: What is your perspective of what community standard they were trying to apply there that came into effect? Can you comment on that?

Ms Pang: I read about it in the paper, but I haven't really looked into the different issues. I do understand there are going to be decisions made by the board that are not going to be agreeable to other communities or different areas. So I think the fact that the board is trying to get different members from different communities is the right direction in trying to determine community standards.

As far as controversy, I think that's going to happen everywhere. It doesn't matter what you do, there's not going to be one set of policies that is going to be right or agreeable to everybody.

Mr Martin: You said you like to watch movies and you have four children who like to watch movies. What would your biggest concern be? Would it be in the area of too much graphic sexual portrayal or would it be the violence that's often seen in movies these days? Where would you come down on that? What would be the biggest concern for you?

Ms Pang: Like I say, I really don't have experience in that field, but my own personal concern would be everything you have mentioned: the violence, the sexual content. I think that's a big concern because we need to be able to make the classifications so the children are protected from watching these films, sometimes unnecessarily or by mistake.

Mr Martin: OK. Thank you very much.

The Vice-Chair: Members of the government?

Mr Johnston: We'll waive our time.

The Vice-Chair: Thank you very much, Ms Pang. That completes the interview process. We will proceed to our next appointment and we'll be voting on your appointment at the end of our appointments review.

Ms Pang: Thank you.

The Vice-Chair: I guess we should probably check: has Ms Campbell arrived yet? No. Is Mr Lamont here? No. What's the best thing to do? Should we take a little recess? It's just noon.

Mr Johnson: A 10-minute recess.

Interjection.

The Vice-Chair: Mr Lamont is here? Let's proceed then.

1200

PAUL LAMONT

Review of intended appointment, selected by official opposition party: Paul Lamont, intended appointee as member, Ontario Northland Transportation Commission.

The Vice-Chair: Good morning, Mr Lamont. We're delighted you arrived.

Mr Paul Lamont: Am I a little late?

The Vice-Chair: You're early. We appreciate your being here. There have been problems with other people getting here because of traffic concerns. So it's just great that you're here.

Mr Lamont: I drove from North Bay today, so I was a little late. Sorry about that.

The Vice-Chair: Mr Paul Lamont is an intended appointee as member of the Ontario Northland Transportation Commission. Welcome, Mr Lamont. We will certainly give you an opportunity to say a few words, if you wish, before we have questioning. The questioning will begin with the third party, I believe. Do you want to make a few remarks?

Mr Lamont: Sure. I'd like to take this opportunity just to highlight some of the areas of my background, which you'll find in my resumé.

I was born and raised in Willowdale, Ontario. I'm married and the proud father of two teenaged daughters. As a Canadian Tire dealer, I own and operate the store in North Bay.

I began my career at Canadian Tire 30 years ago this October as a part-time student. I was called the cardboard man. Each and every day my duty was to bail all the cardboard for the day in the store. So you can see I started at the very bottom. Through the next 16 years I worked in nearly every position available in the store, right up to the title of general manager. During this period I also spent some time at home office here in Toronto in various management positions.

In 1989 I began my career as a Canadian Tire dealer in Vegreville, Alberta, which is a small town outside Edmonton. From there I moved to Estevan, Saskatchewan. While operating the store, despite a slow economy, I opened a second store in Weyburn, Saskatchewan. At the time, this made me just one of a handful of dealers who owned and operated two stores at the same time.

After about two or three years of successfully operating these two stores, I was offered, and accepted, a very exciting and challenging opportunity to own and operate a new, large, big-box format Canadian Tire store. This was the first of its kind. We opened our doors in 1994.

Because of the success of my store and others that opened that year, it has become the model for over 200 new-format stores across Canada.

Since arriving in North Bay, I have expanded my horizons and background. I believe that my experiences have prepared me to be here today. Some examples are: I have served two terms as a national director on the board of the Canadian Tire Dealers' Association in various roles and responsibilities, representing my peers in dealings with the Canadian Tire Corp's management.

I have also been a very active member in the North Bay Kiwanis service club. I have also served two terms in the office of director of that club.

I have received the following awards: the Canadian Tire Dealers' Association presented me with the Above and Beyond the Call of Duty award, which was one of only two that have ever been given out; also, the Kiwanis Club presented me with the Mel Osborne Good Fellow award.

I have also been on both the Canadore College and Nipissing University business review committees, which provide these schools, from a business leader's perspective, with a review of their business curriculum.

Most recently I developed a community-based program which involves all the elementary schools in North Bay and the surrounding area. It's known as the Canadian Tire Junior Citizenship awards program. It's a program which encourages our youth to perform acts of volunteerism and community service. It also helps build teamwork and self-pride among our youth. For their efforts they receive acknowledgement and rewards. After just completing the first year, I'm proud to say that 34 of the 38 schools performed 175 acts of citizenship in our community that they have benefited from.

I believe that my background has helped me prepare to be an involved and community-minded asset to the ONTC. I'm pleased to be here today to answer any questions you may have for me.

The Chair: We commence this time with the New Democratic Party.

Mr Martin: I'm from Sault Ste Marie, so I understand the ONTC very well. We lost one of our more important corporate citizens when norOntair was wound down by the present government five or six years ago, and we have gone on to experience some of the downside of that in a pretty major way. What's your understanding of the role of the ONTC, the history, the background, why it was put in place in the first place, and its present role?

Mr Lamont: Since finding out about the ONTC, the research that I've seen is that the primary focus was to open the north and provide an opportunity for economic growth in northeastern Ontario. That was the original focus of the ONTC.

Mr Martin: And what's the focus today?

Mr Lamont: Pretty well the same: to provide quality service in transportation and telecommunications and to provide to the public in northeastern Ontario a viable transportation and telecommunications network.

Mr Martin: In your view, is it doing that?

Mr Lamont: From everything I've read, I don't think anyone has the view that it's providing the service that they intend it to be, and that's probably why there has been such controversy and why there have been studies on what's the best approach to take with the ONTC. From what I've seen, even the management and the union reps are supportive that the service needs to be improved. I think that's the number one focus.

Mr Martin: What would you bring to the table in terms of direction, ideas and what you think should be done?

Mr Lamont: First, I don't have a strong opinion yet because I haven't got enough background, and I believe the only way I can really add value to any commission or board is, first, to get informed. Once I'm informed, then I'm going to bring a business perspective. Being a business operator and living in North Bay, the primary focus I'm going to have is on what's good for the economy of North Bay and area and what makes sense from a business perspective. I'm not a telecommunications expert or a transportation expert, but I am a local businessman who has been involved in various committees, and I do contribute when I'm on committees. I think I would support that the service has to be improved. That would be the number one focus, as well as maintaining jobs.

Mr Martin: Certainly I don't think anybody up there doesn't agree with that. I guess I was hoping you'd be a bit more specific in that this issue has been front and centre, certainly in North Bay, but across the north for quite some time now. Your mayor has been quite vocal and clear on where he stands, I would think, on where this needs to go. You're absolutely right: the unions have banded together with many local businesspeople to come up with an alternative to simply privatizing the thing or winding it down. The fears over the last number of years have gone from one extreme to another in terms of what might happen—you're a business person in North Bay—the impact on the north of that vehicle not being there.

We in the north, as you know, have experienced a shrinkage in our economy over the last five or six years. The population in my own town dropped from 81,000 to now below 75,000 since 1996—serious, serious economic problems in my own community, in Algoma and across the north. When the northern transportation commission was first put in place, it was envisioned at the time by some of the people who had a hand in it that it would be an economic engine, a driver, a vehicle, to look at economic diversification and one of those things that would take some of the cyclical nature out of the northern economy.

Have you put your mind to any of that at all in coming forward and offering yourself and taking on this challenge?

Mr Lamont: Actually, when I first looked at the ONTC, I did try to get as much background as I could. But, as you're probably aware, there's not a lot that has been said about the proposals that have been put forward. I know there are two at least that the commission has

looked at. I know they haven't rushed through this, because I think the issue has been around since 1999, when they first started to investigate what was right to improve the service and the situation with the ONTC. I know that the ONTC has been made privy to both sides, or three sides, of this argument and, as far as I understand, they've put forth to the government their recommendation. I don't know what that recommendation is, but I believe it has gone forward to the government and they're just waiting to see whether what they put forward has been accepted.

1210

I would think that the people who are on the commission have looked at all the options, whether it's right to privatize or not, and anything else that has been brought forward to them, from either the study that was done by KPMG or from, I think, the internal business group or solutions group from the management in the union, that they're considering all the options and putting forth their best recommendation.

I think that until you're on the commission, you really don't get the background and the information that can help you determine which way is the right way to take this. This is a big step, whatever is decided, and it's something they haven't moved on quickly and are taking their time doing due diligence to look at all the options. That's what I support. I think you've got to look at all the options when you're going to make this kind of decision.

Mr Martin: I am very concerned about the economy of the north and anything that would be done to take another vehicle away that we need. We need all the help we can get and all the vehicles we can get, and we need everybody on board as we try to turn this thing around. I guess, in making an appointment as important as an appointment to the transportation commission, I need to know and I need to feel comfortable that that person understands the very critical nature of the work that is to be done.

The decision to wind down norOntair some five or six years ago was made with the premise that once they shut down norOntair—I think you understand that norOntair connected every major community in the north in a way that was coordinated and left everybody feeling confident that safety and all of the things that you want to have in place when you're looking at air service were there.

Given the nature of the economy that we're in today, I think you would understand as well as I do that transportation, particularly for northern Ontario, is essential—all forms of transportation. We need to be part of the global economy and we need to be there today, not tomorrow, if we're going to be able to take advantage.

We were told by the government—I wasn't convinced—that the private sector would simply come in and pick up the slack once norOntair disappeared. Well, it hasn't and now airports like Kirkland Lake—I was there a year and half ago—have virtually shut down, for all intents and purposes, and Wawa is struggling to stay alive. Once those airports lose their commercial activity,

they also lose their accreditation and so they lose their air ambulance capacity as well.

That was a decision that was made rather lightly and to the detriment of the north. Given what's happened and the \$5 million a year that was being spent by government, which in my view isn't a lot when you consider the importance, the contribution and the investment it made in the northern economy, what would your advice at this point be to the government if that decision were back on the table again?

Mr Lamont: That's something that I haven't really researched, to be able to give it a proper decision. Obviously, my biggest focus as a local businessman is to make sure that the north is economically viable and it's got growth and that any decision that's made is going to support jobs and economic growth. As far as the airline, I'm sorry, I haven't got background even to comment on that. I wasn't privy to the decision there or fully understand the implications of either doing it or not doing it. All I can tell you is that, for the ONTC, I would become involved and I would become educated as to both the pros and the cons. But as far as I know, the decision has already been put forward to the government for its ruling on that.

Mr Martin: And you would just roll with whatever came down, no matter what the impact or the effect on North Bay or the rest of the north?

Mr Lamont: Whatever the decision is, I'm going to work the best I can to make sure that it has the most positive impact on North Bay and the north. That's the only thing I can do, coming in at this stage.

Mr Martin: One of the options is that they just simply close it down and return to relying on bus service up and down that Highway 11 corridor. Would that be acceptable to you?

Mr Lamont: Until I saw the studies, I couldn't comment.

Mr Martin: That doesn't give me much confidence, then, that you really understand the importance of that facility to the north or the very difficult, difficult circumstances that every one of those communities along that Highway 11 corridor is experiencing at the moment. I mean, Kirkland Lake is damned near on its deathbed right now, and to in any way, shape or form diminish the little bit of service they now have by way of that railroad seems to me to be of critical importance. I guess it surprises me that you don't have a view, in front of this appointment that's probably going to be made here today.

Mr Lamont: No, I think what I said is that any decision that's made has to improve the service. I think I've heard that from both the government side and from the management and union sides. So any decision that's made isn't going to hurt the north; it's going to help the north.

Mr Martin: But we heard from this government back five or six years ago when they wiped out and closed down norOntair that it was actually going to improve service. Our experience is that it hasn't.

Mr Lamont: Well, if you're asking me what I would do, I would make sure that I could do everything I can to make sure that didn't happen, that the service was improved, which is the ultimate goal of any change that's going to be made here.

The Chair: That concludes your time, Mr Martin, just when you were on a roll, unfortunately. We now move to the government caucus.

Mr Johnson: We'll waive our time.

The Chair: The government caucus has waived its time. We'll move to the official opposition.

Mr Gravelle: Good afternoon, Mr Lamont. I'm going to try to pin you down as well, if I can, in terms of the line of questioning that Mr Martin was asking, because it is very important to us. I'm a member from northwestern Ontario, but I can tell you this is an issue for all northerners in terms of us finding a way to keep those jobs in North Bay and to keep the ONTC going and, particularly, the Ontario Northland railway.

What I guess I want to ask you is, you are coming in at a peculiar time, there's no question. The internal solutions group has put its position forward. Its position still isn't public in terms of what they are recommending precisely, and it's gone to cabinet. But I do think it's fair to ask you, as a member of the business community and obviously as a prominent member of the business community in North Bay, were you part of the group that is trying to save the ONTC and trying to save Ontario Northland? Had you been involved in it previously, at least as part of the process, before this position came open?

Mr Lamont: No, I was not involved, either pro or negative.

Mr Gravelle: So how would it have come about that you were invited—were you invited to fill this position? This is truly a sensitive position, and I trust you understand our probing on this.

Mr Lamont: Sure.

Mr Gravelle: You're going to be in a position of some influence, and we're making a decision that clearly could impact the north from an economic point of view in a profound way. So we're obviously very curious: how did you come to be sitting before us today?

Mr Lamont: I guess it started about six months ago. When I got off the Canadian Tire Dealers' Association board, I looked at what I could do in lieu of being on that committee. I voiced an interest to local businessmen in town and also to my local MPP that one thing I enjoyed about being on other boards was being involved in helping form strategic and tactical directions on boards. I put my name out, saying that this is something I was looking to expand my horizons into. Obviously, half of the horizons would be through either the public sector or the private sector. When I put my name up, it wasn't for the ONTC board, because I didn't know there was an opening, to be quite honest with you. When an opening became available, our local MPP knew of my wishes to get involved in service, either a public company or private. He thought this would be a good fit for me and

suggested that I take a look at the ONTC board as an option to get into, albeit very controversial. Because most of the employees of ONTC are from North Bay and I'm from North Bay, I think it is a very good fit from a business perspective for me to be there.

Mr Gravelle: I would certainly agree, presuming of course that your goals are to try and keep the operation running, with the employees staying there.

You say your MPP—are you talking about Mr Harris or Mr McDonald.

Mr Lamont: Mr McDonald.

Mr Gravelle: So this would have been just a couple of months ago, then?

Mr Lamont: Very recent, yes.

Mr Gravelle: So that's how that happened. Were you a supporter of Mr McDonald?

Mr Lamont: Yes.

1220

Mr Gravelle: Are you member of the Conservative Party, then?

Mr Lamont: Actually, I don't know if you'd call me a member of the Conservative Party. I bought a membership at his—

The Chair: Nomination.

Mr Lamont: Nomination, yes.

Mr Gravelle: Thank you, Mr Chair.

What this leads me to, obviously, is that—and I think it's a fair question; the ONTC position is a very sensitive one. It's really important what positions you're going to take on this, and I would think Mr McDonald, as a new member, would very much be conscious of that as well. Have you discussed this with him? Once it was determined you would be pursuing this agency position, did you discuss the ONTC, and does Mr McDonald express a position himself? Obviously, as a local member, it's pretty important that he is strongly supportive of what we're trying to achieve here as well. I would presume you've had some discussions with him about the ONTC; at least I would hope you have.

Mr Lamont: Oh yes, for him to have asked me if I would be interested in sitting on that board. He has told me a little bit about what is currently going on but, truly, after I agreed to go on, I got most of the information from someone here at the Legislative Assembly. That's where I got most of my information.

Mr Gravelle: But Mr McDonald offered this particular position to you, I guess?

Mr Lamont: He suggested that this might be a good fit for me and asked me if I would consider looking at it, and that's what I did. I considered looking at it and, because of the importance to North Bay, I think it's one that I can show great interest in and have first-hand knowledge of.

Mr Gravelle: How do you feel about the fact that with the Ontario Northland, the railway in particular, there's a long history and I think it's an important operation—I think we've got about 600 jobs in North Bay in terms of ONTC altogether. What is your position on the fact that railways frequently do need a certain

subsidy? Do you view that subsidy as something that—I'd like your thoughts on how you view whatever form of funding is needed to keep it going.

I think you're quite right. We need to have some improvements in the service in order to attract more people to the service itself. One, how do you feel about that, and two, how important do you think it is to maintain the railway?

Mr Martin did bring up an interesting point. I mean, we certainly remember norOntair. A lot of us as members fought hard to keep it going in our communities and were told, the way it ended up, "Don't worry, the private sector will come on in," and they just didn't and they just don't. But we still think it's the service that's extremely important and we feel the same thing about the ONR. So I'm very curious as to how important you think it is as well.

Mr Lamont: From what I've read, from the two studies that were done—the little bit that has been made public—the thinking is that the service has to be improved, and whether that be through coach or through rail is up for debate, I guess. But the bottom line is that the service to the north has to be improved from what it is today because the customer base is declining with the current system they have today. I think it went from 95,000 users to 75,000 or something like that, and when that happens that means something has to change. From what the reports are saying, the studies that have been done, the little bit I have seen on it, it's due to service.

Mr Gravelle: When you say "coach," you mean bus, don't you?

Mr Lamont: Yes.

Mr Gravelle: I think it's important for people to understand that. But how strongly do you feel about the railway itself and the actual passenger rail service? Would you be prone to saying you think there should be some government support to make sure that service is improved? I am trying to pin you down specifically in terms of your thoughts on the passenger rail service, which I think is pretty vital to maintain in order to keep those jobs there. I really am curious about your position on this.

Mr Lamont: I really have no solid position on whether or not subsidies are necessary. From what I understand, most railways do get a subsidy because they can't operate without one. But as far as whether it's the right amount, needs more, needs less, I think until I get made more informed, it would be inaccurate for me to make a comment.

Mr Gravelle: Have you spoken to anyone who is involved with the ISG, the internal solutions group, which is the management of the ONTC and ONR and the unions, and of course many business communities? Certainly the municipalities are hoping that we can—whether it's the northeastern phenom or the Northwestern Ontario Municipal Association, we're all supporting and trying to keep this going. So have you spoken to anybody who's involved with the ISG? I'd be surprised if you hadn't, I guess.

Mr Lamont: No, I have not.

Mr Gravelle: You haven't?

Mr Lamont: No.

Mr Gravelle: OK. Well, it does seem odd. Yeah, well it's—

Mr Lamont: As you pointed out, it's been very recent since this was brought to my attention to be involved in the ONTC—a matter of weeks, actually. I thought, with the fact that there have already been two studies done, the best thing I could do as a contributor would be first to get informed before I made any solid decisions on positions that I would be taking. So I'm going in there with an open mind. I'm not going in there with a solid view. I think the one thing that's worse than having no opinion is having one that's ill-informed, and I don't want to have an ill-informed opinion. I don't think you would want me to have that, sitting on this commission.

Mr Gravelle: I appreciate that, but I must say I think it's rather unusual that somebody would be appointed to a position as clearly sensitive as this one—a lot is going on, and to have a person not particularly informed, not having a position, leads me to believe that there is a position out there that Mr McDonald or somebody has expressed to you from a government perspective—at least a prejudice, shall I say, without being the least bit rude—that somehow there has been an indication to you from those who put you forward that there is a sort of position that they're moving toward. Obviously, if that's the case, I'd like to know that. But it seems hard to believe that there isn't, in that you continually say, "I'm not particularly informed about it." It seems odd that they would be putting you in that position without having some kind of thought as to which direction they were going in.

Mr Lamont: No. That is definitely not what has happened here. I've looked at the press clippings on only the two positions that are out there and there's not a lot of information. I guess it's behind closed doors that this decision has been made and it will be made public once the government has had a chance to look at the option put forward to them from the ONTC. The ONTC, as far as I know, is the only one that has been made fully versed to the internal solutions group, what their recommendation is. I haven't seen anything on that.

Mr Gravelle: I know that's true.

Mr Lamont: I don't know what they're recommending, so it's unfair to comment. What management and the union have put forward, is it completely different from what the KPMG study is? I don't know.

Mr Gravelle: As one of the leaders in the business community, as you clearly are with the Canadian Tire franchise, you must have heard from your customers—let alone that the business community itself has taken a position very strongly in support of keeping the ONTC in public hands and not privatizing it. Can you tell us what your position is related to that? In precise terms—I'm running out of time and I apologize—in terms of the business community, have you been involved with the

business community and their fight to basically keep the jobs in the north?

Mr Lamont: What I've said is that I support the initiative to improve the service and maintain or enhance jobs. Whatever solution gives us that is what I'm going to be supporting.

Mr Gravelle: OK. Thank you.

The Chair: That completes the questioning of this witness. Thank you very much, Mr Lamont.

VICKIE CAMPBELL

Review of intended appointment, selected by official opposition party: Vickie Campbell, intended appointee as member, Ontario Council of Regents for Colleges of Applied Arts and Technology.

The Chair: Our final intended appointee today is Vickie Campbell, intended appointee as member, Ontario Council of Regents for Colleges of Applied Arts and Technology. Welcome to the committee, Ms Campbell. You have an opportunity, should you see fit, to make an initial statement to the committee and then there will be questions from members of the committee.

Ms Vickie Campbell: Thank you, Mr Chair. I would like to take this opportunity to first say that I'm honoured to have been asked to serve on the Ontario Council of Regents. I'm thankful to the executive director, Ian McArdle, for asking me to participate.

At this time I'd like to add a few points about my background. I was raised in St Thomas, Ontario, and graduated as an average student from high school. I turned down a US athletic scholarship in equestrian riding and the opportunity to attend university. I ended up on the steps of Humber College with the only skill I had, which was riding. The equestrian course proved unsuitable but the alternatives available in general business courses provided me with choices, with the end result of a marketing diploma. I am a product of the college system and believe that my education assisted in opening doors to employment that gave me a future to build skills for success from my first position to my present one.

In 1998 I was bestowed with the humbling experience of becoming a nominee for the Premier's Award for Business. It is an honour to have your community recognize your success. This experience has given me the opportunity to give back and I am very keen to participate. The position I have been given at the hall of fame at Humber College has most recently given me the responsibility of providing advice to students. An opportunity to be a mentor is another honour.

1230

My business experience brings a hard-working individual who likes to succeed. My career has been full of being on top of my game, a leader in sales and sales management, and advancing into starting a business from the simple beginning of me and an answering machine to president of a leading company in the moving industry.

My experience includes negotiating contracts with a newly purchased company that had a 20-year tie with the Teamsters union. I served as chair for the York Business Alliance at York University for three years, with two main goals: to build a partnership between business and the university, and to raise scholarship funds.

I have been successful at buying and selling small to medium-sized businesses, acted as director on the board of our movers' association, and I am presently president of several related companies, some of which provide the challenge of being in a situation where they are shrinking and seasonal markets and still maintaining profits. In addition, I take an active role in volunteering with charitable organizations. These are some of my strengths.

My company is a leading member of Canada's largest van line, United Van Lines. United has been earmarked by a number of magazines as a top privately owned Canadian company. My company has been featured on shows such as Silverman Helps as an example of the quality that consumers should expect, as well as being nominated for a gold Consumer's Choice Award for several years running. All of my companies are ISO-certified, making the group the most unique group of companies in the Canadian moving industry.

I believe I have been approached to participate for my success in my business practices in difficult situations and my genuine interest in the continued efforts of the education system.

On a personal note, I am a mother of two fine boys coming into the new system. This is enough of a reason, as far as I'm concerned, to be giving back to the community.

In closing, I would work diligently on this council to see that the community college system continues to find success with the new challenges ahead. I appreciate your time and the opportunity to be before this committee.

The Chair: Thank you very much. We now move to questioning, and it will be the government party.

Mr Wettlaufer: Ms Campbell, welcome to the committee today. I note that you were chair of the board at York University from 1998 to 2000. I would think this has given you more than ample insight into post-secondary education in Ontario. I wonder if this was perhaps what prompted your interest in the council of regents.

Ms Campbell: You're right; it has given me some insight. I know how hard it is to work with business and to create the funds. There's never enough money. So yes, I know, I guess, what is involved in getting involved in this particular committee.

Mr Wettlaufer: I would be interested in your feeling about university versus colleges of applied arts and technology. There's no real reason for this; I'm just interested in your present understanding of the two.

Ms Campbell: Well, I guess from my own experience I would have to speak to the fact that community college was the right thing for me. I declined university because I didn't know what I wanted to do. Community college gave me a direction and I guess an opportunity to find

what I wanted and what I liked to do, which created my success. So for me, community college was the right choice. But I think university as well for some people is also the right thing. It's a very hard thing to direct youth as to which one is the best one for you, but certainly I think community college, when you're still questioning where you might want to go, is a direction that I would say you should try first. University can always come after.

Mr Wettlaufer: And certainly from your point of view, operating the type of business that you do, a college of applied arts and technology was probably very appropriate.

Ms Campbell: It was, I guess, from a practical—when I look at some of the professors I had, it certainly helped me gain the knowledge I needed to do what I did in life.

Mr Wettlaufer: Your company not only is recognized as being one of the largest but also one of the finest companies, and I compliment you on that. It has an excellent reputation, and I would say that you're probably a reason for that, the position you hold. You direct it; you direct its management. What kind of insight do you think that would give you on the council of regents?

Ms Campbell: The business I'm in is very high in capital and very low in profits. So every day you're looking for money to make it go further and to do a better job. I don't see the college system as being much different. They always need more money in order to make the services better. It's our future, it's our children, so it's a very important issue. You've got to find a way to find that money to improve upon the services. I think I have that experience in my business, but when you have children, you become even more passionate.

Mr Wettlaufer: One of the college presidents, John Tibbits at Conestoga, is a very close personal friend of mine. He's quite an entrepreneur. Do you know any of the other presidents? Would you describe them as being entrepreneurial as well?

Ms Campbell: I couldn't tell you that I really know anyone personally. I think that's one of the drawbacks. I probably have been available to the college and not used as effectively as I could. I guess I've noticed that from this particular issue, being in this hall of fame at Humber College. Students are now reaching out, looking for advice and calling me. I think that's certainly a way that colleges could better utilize the community and bring business closer to the colleges, to want them to not only help financially but on a personal basis as well.

Mr Wettlaufer: Thank you.

The Chair: That completes the questions. I will then move to the official opposition.

Mrs Dombrowsky: Good morning, Ms Campbell. You have probably been told that you might expect a question about your political affiliation, so perhaps we can get that out of the way. First, are you a member of a political party?

Ms Campbell: No, I'm not.

Mrs Dombrowsky: You indicated in your comments earlier that you were asked to serve. Can you repeat the name of the individual who suggested you might consider this position?

Ms Campbell: That was Ian McArdle. He's the executive director of the council.

Mrs Dombrowsky: Do you know him personally?

Ms Campbell: No, I don't.

Mrs Dombrowsky: I see. I would like to ask, do you think that colleges in Ontario are underfunded?

Ms Campbell: There's never enough money. There are always things that you can enhance, as far as I'm concerned, when it comes to education. Yes, I do believe that the colleges are going to be short on funds, especially with what they're going to be facing, not next year but the following year, with two groups of students graduating and going there. They don't know what they're facing.

Mrs Dombrowsky: The double cohort—

Ms Campbell: Yes.

Mrs Dombrowsky: —when we will experience two graduating classes entering the college facilities. Are you aware that in the most recent budget—and one would expect that a responsible government would begin to prepare for the double cohort—the Minister of Finance did allocate additional monies for post-secondary?

Ms Campbell: Yes.

Mrs Dombrowsky: You're familiar with that. You would be familiar with the \$75-million figure that was announced in the June 2002 budget. Are you aware that, of the additional \$75 million, only \$5 million went to colleges?

Ms Campbell: Yes, I'm aware of that.

Mrs Dombrowsky: Are you aware that 40% of high school students who go to post-secondary go to colleges? So while they receive 40% of the students, they have only received 5% of the additional resources that the government has allocated for operating funds.

Ms Campbell: I have read that, I guess, on some of those materials. I wouldn't be able to tell you and quote all of those percentages, but I guess I am aware that the colleges don't get as much money as universities.

Mrs Dombrowsky: Does that surprise you, shock you, disappoint you? Do you have a particular reaction about that, as a college graduate?

Ms Campbell: Yes. Even as an individual, you question where those funds go and why and you never really seem to get to the bottom of why that is. I'm hoping that, being on this council, I will be able to get to the bottom of why that happens. Where does the money go? Those are answers I think the public wants as well. It is. Why is it that way?

Mrs Dombrowsky: And I don't disagree that it certainly does deserve an answer, but just as a college graduate, do you have a personal reaction to the fact that colleges only received \$5 million of a \$75-million increase in allocation?

1240

Ms Campbell: I guess I know that it's not going to be enough money. I know that for sure. I also believe that they still don't know what they're facing. So even with the money that has been allocated to education, I still feel there will be a major problem with that.

I have a son who will be facing that. He will be graduating at that time.

Mrs Dombrowsky: The Globe and Mail has reported that over the past decade, college enrolment has increased by 34%. Over that same period of time, government financing for those students has dropped by 40%. Do you have any comment to make about the challenge you believe that then presents for students?

Ms Campbell: Again, it comes back to being able to pay their tuition, and that becomes more difficult for them. I believe the figures were that it went from \$5,000 to \$2,300, and I believe it's \$3,200 now, back up to that figure. Obviously that's going to be more challenging. They're going to have to depend more on jobs, parents, scholarships. Certainly there are areas that I believe the business community can help in.

Mrs Dombrowsky: Are you aware that the government has provided no additional resources for colleges to double the number of scholarships or bursaries that will be offered in the double-cohort year?

Ms Campbell: Yes, I am aware of that.

Mrs Dombrowsky: It is obvious, then, that for students who would want to be enrolled in a college and who might see as a means necessary to do that applying for a scholarship or bursary that that option is significantly reduced at the time of the double cohort.

I'm sure, given your experience in the field of business, you are aware of the crisis in many trade sectors right now in the province of Ontario in terms of shortage of skilled workers.

Ms Campbell: Yes. I feel that daily.

Mrs Dombrowsky: We're entering a period where the baby boomers are retiring, where we need more skilled workers in the workforce, and in my opinion we have put some significant roadblocks in the way of young people who would want to be trained in those trades by reducing the support and not appropriately supporting students who want to enter college.

I make these points for you today not that you've had anything to say about these realities, but when I review the mandate, the role, of the council of regents, you are an advisory body to the minister and you advise on policy. Do you think that as part of an advisory body where you advise the minister on policy affecting colleges and you monitor post-secondary educational institutions in other jurisdictions, it would be important to remind the minister, for example, that in Ontario we have already the lowest per capita funding for college students in Canada? Do you think it would be important to remind the minister of that?

Ms Campbell: From the heart, my immediate reaction would be to say yes, but from a point of view of sitting on a board that is offering advice, I think you have to

have all the facts in front of you as to what's taking place before you're giving any advice.

Mrs Dombrowsky: I agree, but I guess that's my question to you: do you think that would be an important fact to remind the minister and to advise the minister of? You have a responsibility to monitor developments in post-secondary institutions in other jurisdictions. When we consider that we are the economic engine of Canada and we have experienced a period of strong economic growth, do you not think it's really important to remind the minister of the value of investing in training our workforce? Do you not think our very poor showing in terms of per capita funding for students, given the fact that we have a crisis in the trades sector, is an important issue to remind the minister about, and that while it's not described in your role, Ms Campbell, you have a responsibility to advocate for more resources and for fair resources for students in colleges? That's what I need to understand today from you. Is that something you think you would be prepared to do as an appointed member to this council?

First of all, do you recognize there is a school of thought out there that would say that colleges are not getting a fair shake, and that you have a responsibility to be a cheerleader for the students who want to access the colleges and say they are not getting the financial support they need and deserve and that our province needs?

Ms Campbell: Having I guess been given all the information, I certainly would be an advocate for the students getting their fair share, and it should be a fair share. We talked about some of the funding earlier. It's an important issue to me. Why did only that little part of money go to the colleges? I need to know why to be able to really dig in. But you're right that I would be an advocate of the students, by all means.

The Chair: Your time has expired. We now move to the third party.

Mr Martin: I'm interested in how you came to entertain this appointment if you don't know the person who invited you to the position. How did you find out about it? I note, as did Mr Wettlaufer, that you're serving on the board of governors at York University. Was that actually the board of governors itself? There is a little asterisk—

Ms Campbell: No. It was called the York Business and Professional Alliance. I am no longer on the board. I was a chair for them. It was a board set up to build York University's strength with business and also to build scholarship funds. They found they didn't have the ability themselves to build on business, so they started this board. I was in on the implementation period of that and virtually was on the board for about three years. I have resigned. I felt that new blood was in order. We set our goals and we met our goals of building on business as well as building their scholarship funds. We met all those financial goals. But I'm no longer on that board.

Mr Martin: How did the connection with the ACAATO come about then?

Ms Campbell: You're asking about how I was asked to serve on this board?

Mr Martin: Yes.

Ms Campbell: It was Ian McArdle who called me. He told me he had seen my name on the Premier's Award for Business, and because of the fact that I was a product, obviously, of the community college, he felt that would be valuable to the board. I think it was pretty straightforward. The fact of my success in business through the community college could be advantageous to the board itself.

Mr Martin: It certainly will be, in my view. What else do you think you will bring to the job, to the position?

Ms Campbell: I think I'm a very fair individual. I'm honest. I will treat things that way, as I have in the past. I have negotiated contracts with Teamsters. That in itself is a gruelling and sometimes harsh thing to do, but I believe in treating people fairly. I think, with the passion I have about giving back to the community, that in this stage of my life the community college is a place where I have value.

Mr Martin: What role do you see the community colleges playing in the evolution of our communities and of the province? When they were first put in place in 1965, there was obviously a challenge there to provide better and more training of a more technical nature to young people as we looked at the challenges facing us. At this point, in 2002, what are the big challenges?

Ms Campbell: From an employer's standpoint, I know that we often use the community college as a place to find students coming out into the workforce. I certainly would maintain doing that. It's one of the first places we go. We help in some of their programs when they have their work—I forget what they call them now. They have certain times when they work and then they go back to school and we certainly place students and do that sort of thing. I'd like to see that grow. I think that's an area that could certainly help the community college to get practical people. I think that's one of the things that is very important coming out of community college that maybe a lot of employers don't realize. You get a very practical person who can do the job because they've been, I think, somewhat closer to how it works rather than the theory. As you know, universities are more theory than practical types of study.

1250

Mr Martin: Basically, colleges are about students. What are some of the bigger challenges for students, as you have children and you anticipate the future? How do you think community colleges might readjust to deal with them?

Ms Campbell: I'm not sure I have all the answers to that, but I guess from my own personal experience—I have two sons who are going to come into the post-secondary system very soon. They are unsure of what they really want to do in life, and I understand that. When you're 18, I don't know how people really know what

they want to do in life. I think the community college helps students do that.

I think there's a lot of fear from students when they're going to be facing competition to get in, and that's a challenge in itself. The fact that I don't know whether someone has—and I guess this is something I'd like to know more of. Have they planned for what they're facing well enough, because they're going to have this influx of students they have never had before? I've seen that they're going to build facilities, new equipment, but again, I don't see what I would consider to be the business aspect of bringing more employers closer to that to assist in those things.

I would say, even in the small communities where you have a college, there are probably businesses all the way around those colleges that are not having their resources used well enough to help that college. It doesn't have to be a big part of someone's business to help out their own community college that's around the street from them; they can help out in many ways. I think that's an area that could certainly work for community colleges, because community colleges in themselves have their own unique little worlds wherever they might be, having to do with whatever part of Ontario they're in. They're very unique in themselves.

Possibly looking at different courses being placed and done in different colleges is another avenue that I guess I would open up as a discussion—solutions like that.

Mr Martin: What's your view on the impact of the ever-increasing level of tuition on students? Will that be a detriment, or how do we deal with that? We hear, certainly from student groups particularly, of the tremendous challenge that presents and the level of debt that students are coming out of college and university with now.

Ms Campbell: I guess I can speak about a program I worked on at York. It was a program where we developed the ability for a small business to be able to produce scholarship money. It wasn't huge amounts of money, so one of the things I said was, "Let's get more of it from more people, because a small business can afford \$2,500 as a scholarship in their name." We worked on some of those areas and it was very successful. We had a plan on how we went out and did that, and that worked for York University. I would certainly say that, for the community colleges, that should be able to work too.

The Chair: Thank you very much. That completes your questions, Mr Martin, and that completes all the questions. You may step down at this time.

Ms Campbell: Thank you.

The Chair: We have three items to deal with. The first item is going to be the consideration of the appointments; the second will be a couple of extensions we will require for people who understandably were unable to make it today; and the third will be the next date, which the committee will likely leave to the sub-committee, and I will remind them of the chastisement by our friend Mr Johnson.

First of all, we will go to Bill Daverne, intended appointee as member, Town of Greater Napanee Police Services Board. Any discussion—sorry, a motion?

Mr Johnson: I move concurrence on Bill Daverne.

The Chair: Concurrence has been moved by Mr Johnson. Any discussion? If not, all in favour? Opposed? The motion is carried.

The next appointee we have already handled and that vote has taken place. That was Pina Sauro.

We will then move to Vickie Campbell, intended appointee as member, Ontario Council of Regents for Colleges of Applied Arts and Technology.

Mr Johnson: I move concurrence on Vickie Campbell.

The Chair: Mr Johnson has moved concurrence in the appointment. Any discussion? If not, all in favour? Opposed? The motion is carried.

The next intended appointee is Ramona Pang, intended appointee as member, Ontario Film Review Board.

Mr Johnson: I move concurrence on Ms Pang.

The Chair: Mr Johnson has moved concurrence. Any discussion? If not, I'll call the vote. All in favour? Opposed? Carried.

The last one is the intended appointee as member, Ontario Northland Transportation Commission, Mr Paul Lamont.

Mr Johnson: I move concurrence on Paul Lamont.

The Chair: Mr Johnson has moved concurrence. Any discussion of this?

Mr Gravelle: I just want to say that I do not feel comfortable supporting Mr Lamont. This is a very important position, particularly at this time. There are some crucial decisions to be made related to the Ontario Northland Transportation Commission, particularly as it relates to jobs and the economy in northern Ontario and in North Bay specifically.

I was somewhat taken aback by Mr Lamont's inability to be more specific in precisely how he felt about it. I also thought it was peculiar that even though he has been living in North Bay since 1994 and is therefore quite familiar with the issue, and has talked to his member, Mr McDonald, about the position—in fact, Mr McDonald invited him to do it—it seemed odd to me that they hadn't had some discussions—at least he wouldn't acknowledge having discussions—that would have indicated which way he was going on the issue. So I have some concerns about that. As much as I think he did try to say he was going to do what was best for the community, it disturbed me that he wasn't able to be more specific in terms of how he felt about this. As a result, I don't feel comfortable supporting him.

Mr Martin: This is a really important appointment, and I think Mr Gravelle and I probably feel it most directly because of the constituencies we represent.

The economy of northern Ontario, at a time when the Ontario economy as a whole has been growing, has shrunk, and it has shrunk significantly, to the point where we're all losing our youngest and brightest to other

places. They are leaving. In Sault Ste Marie, our population, from 1996 to 2001, has dropped by about 6,000 people, from 81,000 down to under 75,000, and that's troubling.

I think when you consider both the lack of attention to the north by this government and the vehicles it has taken away from us, that the Northern Ontario Development Corp, norOntair, which is really important in the global economy we live in today in terms of our ability to move and to have people come in and visit with us and talk about new opportunities, should go—the private sector sort of filling the void scenario that was painted didn't happen—the one vehicle left now that was put in place, interestingly enough, by a Conservative government in years past that understood the cyclical nature of the northern economy and knew that in order for it to be stable and to be able to attract the kind of investment we need to grow that economy, which continues to drive the provincial economy in some very significant way, was right then and is right now.

For the present appointee to come forward not really understanding any of that, the importance of that, the very critical nature of the decisions that are being made as we speak about the future of the Ontario Northland Transportation Commission, is troubling. So, like Mr Gravelle, I won't be supporting this appointment either and will be asking for a recorded vote.

1300

The Chair: Any further comment?

Mr Johnson: I'm thrilled and excited to be able to support the appointment of Paul Lamont. He belongs to a very progressive organization. The Canadian Tire Corp in my hometown is a valued and thriving business.

The Chair: Mr Gilchrist would agree with you.

Mr Johnson: Yes, I'm sure he would.

I think his background, his experience, his business acumen and so on will stand us in good stead because, as the members for Thunder Bay-Superior North and Sault Ste Marie have pointed out, this is an important position on a very important board.

I have listened to the member for Sault Ste Marie bring up the example of norOntair. I'm not sure that particular body needed all the financial support it did when it was dismantled, but if it did, it would need a heck of a lot more now. I'm not convinced that the Ontario Northland Transportation Commission should look at ways they can keep giving that body more grants and more support in view of the lack of public support for it.

I would like to point out two things: one is that I think they have to get out and look for opportunities to create more business for themselves. I think the members from Thunder Bay-Superior North and Sault Ste Marie can look to themselves. If I had a question to ask Mr Lamont, I would say, "What would it take for Canadian Tire Corp in the city of North Bay to use Ontario Northland Transportation to supply their store and the transportation needs they have?" I would put that challenge to those two northern members. Do you use the facilities of the

Ontario Northland Transportation Commission? They have passenger service.

Mr Martin: I used to use norOntair all the time, Bert.

Mr Johnson: I'm talking about the Ontario Northland Transportation Commission. They have a transportation system.

Mr Martin: It was part of the Ontario Northland Transportation Commission.

Mr Johnson: What I'm getting to is that as a member of this committee and the Legislature, yes, it's an institution that deserves our support, but I also think we can't just let it accumulate support and give it more support and keep giving. I think what it needs is an entrepreneurial spirit that a man like this will bring to it, who can go out and say, "What can we do to make it attractive to Canadian Tire Corp"—and I'm just using that as an example, but other places—"to use that system, rather than whatever they're using now, so that it can support itself?"

I'm very pleased and excited to be able to support Mr Lamont to this commission.

The Chair: Any further discussion? If not, we've had a request for a recorded vote from Mr Martin. I will now call the vote on the intended appointee, Paul Lamont.

Ayes

Hardeman, Johnson, Mazzilli, Wettlaufer.

Nays

Dombrowsky, Gravelle, Martin.

The Chair: The motion is carried. The appointment is concurred in.

The next issue I have is a matter of a couple of extensions for people who were unable to be with us today. I'll ask our clerk to read those to us.

Clerk of the Committee (Mr Tom Prins): First we have Yvonne Weir, who is an intended appointee for the Muskoka, Nipissing, Parry Sound and Timiskaming District Health Council. Originally, the appointment was for the meeting which should have taken place by July 7, but she was given a 30-day extension, which would expire August 6.

The second one is Graham Coveney, intended appointee for the Council of Colleges of Optometrists of Ontario. His time frame would expire July 28.

The Chair: Can I have motion in this regard?

Mr Johnson: Those can be extended a maximum of 30 days? That is my understanding.

The Chair: That's my understanding, a 30-day extension, yes.

Mr Johnson: Then I would move that they be extended 30 days.

The Chair: Any discussion? All in favour? Opposed? Motion carried.

The next date of the committee is probably best handled by the subcommittee. We would hope the sub-

committee will consult, as they are wont to do, with all members of the committee to see if they are available. And if we can avoid any special circumstances such as are existing today, that would be good. Even though this is the fastest I've ever gotten into Toronto, I think, it was a day of challenge for us, so we'll ask the subcommittee to do so. Mr Johnson, do you have a comment?

Mr Johnson: I was just going to say that in spite of the past performance, I'm willing to give the subcommittee one more chance.

The Chair: Thank you very much, Mr Johnson.

Any further business to come before the committee? If not, I'll ask for a motion of adjournment.

Mr Gravelle has moved a motion of adjournment. All in favour? Opposed? Carried.

Thank you, members of the committee.

The committee adjourned at 1306.

CONTENTS

Tuesday 23 July 2002

Subcommittee reports	A-13
Intended appointments	A-13
Mr Bill Daverne	A-13
Ms Pina Sauro	A-17
Ms Ramona Pang	A-22
Mr Paul Lamont	A-25
Ms Vickie Campbell	A-29

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Wayne Wettlaufer (Kitchener Centre / -Centre PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr John R. Baird (Nepean-Carleton PC)

Mr Ernie Hardeman (Oxford PC)

Clerk / Greffier

Mr Tom Prins

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services



**Legislative Assembly
of Ontario**

Third Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Troisième session, 37^e législature

**Official Report
of Debates
(Hansard)**

Wednesday 4 September 2002

**Journal
des débats
(Hansard)**

Mercredi 4 septembre 2002

**Standing committee on
government agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 4 September 2002

Mercredi 4 septembre 2002

The committee met at 1033 in room 151.

SUBCOMMITTEE REPORTS

The Chair (Mr James J. Bradley): I think we're all present this morning so I'll start the proceedings for the purpose of Hansard. I should begin by mentioning that Yvonne Weir, who was an intended appointee, Ministry of Health and Long-Term Care, to be appointed to the Muskoka, Nipissing, Parry Sound and Timiskaming District Health Council, has withdrawn.

The first item we have to deal with is the report of the subcommittee on business dated Thursday, July 25, 2002.

Mr Bob Wood (London West): I move its adoption.

The Chair: Any discussion? If not, all in favour? Opposed? The motion is carried.

The second item of business is the report of the subcommittee on business dated Thursday, August 15, 2002.

Mr Wood: I move its adoption.

The Chair: Any discussion? If not, all in favour? Opposed? The motion is carried.

INTENDED APPOINTMENTS

GAIL O'BRIEN

Review of intended appointment, selected by official opposition party: Gail O'Brien, intended appointee as member, board of trustees of the Centennial Centre of Science and Technology.

The Chair: Our first intended appointee is Gail O'Brien, intended appointee as member, board of trustees of the Centennial Centre of Science and Technology.

Ms O'Brien, you may come forward, please. As you are aware, you have an opportunity to make an initial statement for up to 10 minutes, the time of which is deducted, unfortunately, from the government side. It breaks my heart to say that.

We welcome you to the committee. You are certainly welcome to make your statement should you see fit, and then you'll be questioned by representatives of each of the political parties on the committee.

Ms Gail O'Brien: Good morning, everyone. Thank you for inviting me to be here this morning and to have the opportunity to appear before this committee.

As requested, I will make an opening statement. I will speak briefly about my background and explain why I

would be proud and excited to serve on this board and why I believe I'm qualified to do so.

First, my background: I was born and brought up in Montreal and received a bachelor of arts degree from McGill University in English and fine arts.

In 1978, I moved to Calgary with my husband, who had been offered an exciting job opportunity, and our three children. My own career began at this time in the fashion business, as a partner in a successful boutique for six years, followed by two more years as an adviser. A career change for my husband resulted in our brief move to Montreal in 1989, but we returned to Calgary in 1990. I continued in the fashion business and accepted the position of general manager of Holt Renfrew, which opened in September 1990. I ran that store with great passion and great success for 10 years. During that 10 years at Holt Renfrew, I also found time to contribute to the community on the board of directors of the YWCA of Calgary and the Glenbow Museum. As well, in my capacity as general manager of Holt's, I started a benefit fashion gala which to date has raised almost \$1 million for the Canadian Breast Cancer Foundation, Alberta chapter.

In September 2000, I retired from Holt Renfrew to spend more time with my family. In February 2002, I moved to Toronto, where my two daughters—one a doctor who did a residency at the Toronto Hospital, the other a lawyer who studied law at the University of Toronto—now live. My husband still has significant work in Calgary, so we maintain a residence there as well. However, I am loving Toronto and looking forward to being involved in the community here, which leads me to why I would like to serve on the board of the Ontario Science Centre.

A year ago, I was taken on a tour of the science centre by the chair of the board. I was immensely impressed by the scale of the venue, the imagination of the exhibits and programs, the excitement of the visitors, young and old alike, and the entrepreneurial approach of the science centre. I was truly inspired. The science centre is truly a world-class facility, and I would be proud to be a part of it and to contribute to its success.

Equally, though I am certainly not what you would call a scientific mind, I am passionate about education. It is the key to people's independence and self-sufficiency and, in a broader sense, the key to our global competitiveness and survival as a society. Science and

technology in particular lead the way in this regard, and the science centre is able to offer this education to everyone and to make it fun. I became a grandmother a year and a half ago and again one month ago, and I look forward to sharing the fun and learning with my grandchildren.

Finally, as I mentioned above, on a more personal level, I love to be busy. I find it personally satisfying to give back to the community. Having just moved to Toronto, where both my daughters now live, this position would give me an opportunity to continue to contribute.

Now I'd like to highlight my qualifications to serve on this board.

First, as a result of my business experience, I bring to this or any organization strong leadership skills, a strong sense of the importance of financial accountability, highly developed entrepreneurial and marketing skills, and the experience of running a large venue and maintaining the buzz and excitement both from an activity and a visual point of view.

Second, I have had significant board experience on not-for-profits, including, as I mentioned, the YWCA of Calgary and the Glenbow Museum, as well as the Prairie Action Foundation, whose mission is to find and fund solutions to violence in the community. I have held various leadership positions on these boards, including chair of strategic planning, nominations, development, and communications committees, and have also been involved in various fundraising initiatives, including the capital campaign of the YWCA. I take very seriously the governance role of the board in supporting the organization to deliver its mission and, more latterly, the sense of responsibility for holding the organization safe and with integrity for the community.

1040

I will share with you that since my move to Toronto and as a result of my experience and my commitment in both the corporate and not-for-profit sectors, I have been approached by a couple of organizations to serve, both provincially and nationally. The first which I have accepted is the Ontario Science Centre, for the reasons which I outlined above, and on whose board I really would be honoured to serve.

Thank you for your attention.

The Chair: We begin with the government party.

Mr Wood: We'll waive our time.

The Chair: We'll move to the official opposition.

Mrs Lyn McLeod (Thunder Bay-Atikokan): Ms O'Brien, welcome to the committee. I don't think there is any question about your abilities and background enabling you to make a contribution to the Ontario Science Centre. I notice from your background that you omitted something like receiving the Woman of Distinction award for business and entrepreneurs and I would congratulate you on that, as well as on becoming a grandmother, which I personally think helps to enhance your contribution to the science centre.

Ms O'Brien: Thank you.

Mrs McLeod: I was interested that, in talking about what you see as the challenges of the science centre, you touched on the very two things I wanted to ask you about as a candidate for appointment, and that's the whole issue of the entrepreneurial spirit you mentioned, which I might describe perhaps as an entrepreneurial imperative that's been imposed and how that works with the commitment to education that I think has always been a founding principle of the Ontario Science Centre.

I don't know if you have had a chance to look at the budget situation at the Ontario Science Centre.

Ms O'Brien: I've looked a little bit at the budget and I was pretty impressed, number one, that their entrepreneurial spirit is certainly already evident in the increase in 2001 over 2000 in terms of self-generated revenue, and obviously the creativity and expertise that have been developed to market exhibitions internationally. Honestly, I think that's very exciting and very impressive.

With regard to education, I think there is opportunity for sure for possibly expanding international initiatives, possibly exchange programs, and further intensifying not only the exchange of students and instructors but also expertise. It's great that the expertise part has already been developed to market these exhibitions abroad. I'm sure that can be strengthened. Also, perhaps the programs that are being offered to students can attract international students, where there might be revenue opportunity. Both of those things, I think, are pretty exciting. I didn't notice international initiatives in anything I read other than the travelling exhibitions.

Mrs McLeod: You've obviously done your homework here.

Ms O'Brien: By the way, the one thing I may not do is increase the rate of admission in order to raise more revenue. I'd like to attract more people but I really believe in accessibility. It's such an opportunity for children and students to learn in a fun environment. I think it can really turn them on and can have great future benefit and I would hate to restrict people by the admission.

Mrs McLeod: I appreciate your saying that. Is it your sense that that's how the revenue increase was achieved, in part through an increase in the rate of admission, or has it all been through innovative programming?

Ms O'Brien: I have no history. I'm not sure when that rate was decided upon. I did notice that it is lower than some of the other museums. I notice that it's lower than the ROM, for example. I notice that the revenue already accounts for—I think it's something like just over 20.7% of the overall revenue, which is a significant amount. I just would not like to see it create inaccessibility for the broad range of people.

Mrs McLeod: By contrast—that's the entrepreneurial side—then there's the educational side, which you also mentioned. As I looked at the statement of expenses and revenues, one of the areas in which the science centre does show a deficit is on the school programs and the school admissions.

Ms O'Brien: I noticed that too.

Mrs McLeod: I guess one of the concerns I have as I look toward this year is that that's likely to get greater. Schools are going to find it very difficult to do those things that are seen to be outside the immediate classroom. I'm wondering whether you have some thoughts on whether a deficit is sustainable, whether there should be increased support for school programs, to ensure that children, who are the primary beneficiaries of the science centre programs, can access the science centre even if the school boards are not able to make it revenue-neutral.

Ms O'Brien: I would probably support at least the same level of programming, if not increased, although I'd need a better understanding of specifically what they are and what they think their impact is and who they benefit. But I notice that the admissions and programs actually account for 8.3% of the revenue, notwithstanding the fact that they are in a deficit position, so they do bring in a significant amount of revenue. I think the key is to make sure the costs are carefully monitored, and it seems like the existing board has a good record in that regard. They've wound up with a surplus this year of \$874,000, so it was pretty impressive.

Mrs McLeod: Just lastly on the same point, then: if schools are saying over the next months, "We can't keep paying admission to bring our students into the programs; we can't support the programs as part of our curriculum because of our own financial situation," would you see it as important for the government to augment the resources of the science centre so that the school programs can continue?

Ms O'Brien: I would certainly support maintaining the programs. There may be, and in my past experience I've certainly had some success in this regard, another option besides government support, which is corporate sponsorship. For example, in the museum on which I'm a board member there is a corporation, one of the oil companies, that actually sponsors the school program. It's a great benefit to the corporation because that corporation is known all over the city for sponsoring the school at this museum. I think it's a mutually beneficial situation. So I would try to find a way.

Mrs McLeod: Thank you very much.

The Chair: Thank you. Richard Patten.

Mr Richard Patten (Ottawa Centre): You have a very rich background, especially coming from Montreal, which I did as well. So we welcome you here today.

Have you received any indication as to the extent to which the government is talking about increasing the centre's self-reliance?

Ms O'Brien: I know the self-reliance currently, or the self-generated revenues currently—well, I have two different sources. One says 46%; one says 48%. I have no idea what the objective of the organization is, and I truly do not know what the government's expectations are.

Mr Patten: If it were 50-50, given the nature of the centre, that probably is a fairly healthy ratio or formula.

In terms of your fundraising, and you have an extensive background in this particular area, did you have any ideas as to—you mentioned corporate sponsorships which can go along with certain programs. I've personally found that's often a good way to go. Did you have any other fundraising ideas that might relate to this?

Ms O'Brien: I've personally been involved in capital campaigns, the chair of events, corporate sponsorships. My experience in fund development and the various things I have done shows me that it's probably best, in terms of actually raising money, to get corporate sponsorship where you get a commitment for a fairly long-term investment so that it's a win-win on both sides. It's seen as an investment by the corporation, which gets payback from the association with this particular cause, and it's a win-win, obviously, for the not-for-profit that is benefiting from the programs.

Increasingly, people are not wanting just to support single events; maybe to be part of an event, but part of a bigger overall commitment. That's the way I would go about it. I think events are great. They're great for creating awareness and friend-making, but—

Mr Patten: Does the centre have a reserve fund or an endowment of any sort that it is able to retain itself?

Ms O'Brien: I'm not 100% sure. I do know it had a surplus of \$874,000 this year, which is pretty impressive. I haven't seen any sign of an actual endowment. That certainly is helpful, if you have that.

Mr Patten: For sure. Thank you.
1050

Mr Tony Martin (Sault Ste Marie): I certainly understand the need to make places like the science centre financially feasible and the effort to export some of what is being developed to the world and create some interest and generate some revenue there. I'm just wondering if you've given any thought to how we might make the science centre more available to the rest of Ontario, to places like Hornepayne and White River and Gogama.

Ms O'Brien: I understand that the school system probably supports some students coming at this current time. I would love to consider the possibility of outreach programs; once again, I don't really know if those things exist, but things like taking experiences or exhibitions to smaller venues, both in Ontario and perhaps even nationally, to benefit the entire country with the kind of level of expertise that I've seen there. So that would be one thing.

Another thing I was thinking of, and for all I know, this exists, but it's just a thought, is that it would be interesting to have an annual science competition where people from all over the province participate and contribute. Of course, it would be a big event once a year to show those exhibits and to have them judged.

Obviously, the other thing might be to kind of organize with local communities or local clubs and communities in Ontario to bus people in and perhaps try and subsidize that. I'm honestly not sure. I think it wouldn't be until I become involved in the organization that I'd

have a better sense of what they're currently doing and therefore would have a better sense of what the options would be.

Mr Martin: But you would see some potential outreach there?

Ms O'Brien: Absolutely. It's a very exciting place and I think that the more people who are involved, who have a chance to benefit from it, whether it's older people—it stimulates thought. When I was there, obviously people of all ages were having fun, but particularly young people.

Mr Martin: I've often thought, as I've met groups from my own community that come to Toronto to visit and go to the science centre and other places, that there are a tonne of other students who don't get to do that. Oftentimes a school goes on a trip like that because a teacher in that school takes the initiative to organize and fundraise and make it happen. If there's nobody in the school who does that, then the school doesn't go.

Ms O'Brien: Right, exactly.

Mr Martin: It seems to me to be unfortunate, because it is such a wonderful exhibit and there are so many really neat things there that would stimulate kids to want to learn more and perhaps get into the sciences and to be creative around how we share that resource with the rest of the province.

In your mind, would the issue of cost—because that's always a real concern in terms of taking stuff out as opposed to always bringing people in—be a huge stumbling block in your view?

Ms O'Brien: I'm not sure. I'd sure like to explore it, because one of the things is, if you can bring the excitement to the people, then it generates, it creates the interest. Then you might find even on individual levels people deciding to—Ontario is big but it's not so huge that you can't drive for a day and have an outing and bring your children to see the centre. I would certainly look into it, and again, as I say, corporate sponsorship is—

Mr Martin: Yes. A lot of the centres outside of Toronto often feel somewhat distant and isolated, and you can imagine, if the big centres are feeling that way, how a lot of the smaller important centres feel because they can't access. They know there are lots of resources and energy going into developing these things and yet they don't get to take advantage of them. I have a real concern about that.

The other thing is, do you know much about Science North?

Ms O'Brien: I do not.

Mr Martin: It's a fairly exciting facility in Sudbury that's been developed over a number of years that does somewhat similar kinds of exhibits. Again, school classes visit there and spend a day. They have an IMAX and that kind of thing.

Would it be your intention to learn more about Science North, and the next question I was going to ask you if you said you did, to develop a more direct relationship between—

Ms O'Brien: I think collaboration in that regard is hugely important these days and that all not-for-profits should be trying to do that, develop collaboration with other like-minded businesses or organizations or things that are connected, because it's always mutually beneficial. So, absolutely.

Mr Martin: OK. Thank you very much. Those are all my questions.

The Chair: Any other comments? No? We're all set. That means you may step down. Thank you very much for being with us.

JULIE DI LORENZO

Review of intended appointment, selected by official opposition party: Julie Di Lorenzo, intended appointee as member, board of trustees of the Centennial Centre of Science and Technology.

The Chair: Our next intended appointee is Julie Di Lorenzo, intended appointee as a member, board of trustees of the Centennial Centre of Science and Technology.

Welcome to the committee. As you recognize, you have that opportunity to make an initial statement, should you see fit, and then there'll be questions from each of the political parties represented.

Ms Julie Di Lorenzo: Thank you very much. I will make a very short presentation, and I believe my resumé was submitted in advance. Good morning. Thank you for consideration for an appointment to the Ontario Science Centre board.

As you may have read in my resumé, I once was a board member at the Ontario Science Centre and I'm honoured and delighted to be considered again to be part of this important cultural and educational institution. I wish to state that I have received as much, or more, of a contribution from public service in return for my time.

I appreciate I'm supposed to speak about myself, but if you would indulge me I would prefer to speak about some issues which I believe are very important and which I will then relate directly and indirectly to the Ontario Science Centre experience. Through these things, you will probably have enough of a glimpse of what possible role I can play as a board member on behalf of the people of Ontario.

At a recent meeting at the science centre I read a quote that was used in a presentation by a scientist. I have found myself using the quote over and over again in presentations to young people and in business speeches. It said, "If you want to predict the future, invent it." To me, this is a statement full of faith and potential. I admire the people at the Ontario Science Centre because I believe they instill in our adolescent and adult visitors, through a participatory experience, a feeling of confidence through knowledge, empowerment and satisfaction and a new appreciation that allows them to feel they can invent the future. What better role for a public institution to play without political venues?

As you can see from my resumé, I have been honoured with many board roles and I've been on many

committees, in addition to being an engaged business person. I have become very efficient and have found that much can be accomplished in teamwork environments. I offer as an explanation another one of my favourite phrases: "Cross-reference your synergies and work as a team."

One important role the Ontario Science Centre could play in the future is to expand its role in the community in a proactive direction, as an incubation pot to both the scientific and creative communities, which are often the same. I have encountered so many potential opportunities, through my work at last year's Skills Canada competition Ontario chair and through discussions with young women about their career choices and even to the development and manufacturing community, which is dealing with impending future labour shortages, and with private sector environmental consultants about liaison projects with the Ontario Science Centre. Co-operative networking could be a milieu provided by the Ontario Science Centre, where youngsters are exposed to exciting career opportunities outside of the traditional and where the Ontario arts, science and business communities can share their concerns and ideas and promote efficient solutions.

The Ontario Science Centre can be a resource for the private sector, and more of a piazza environment where ideas are shared and incubated. For example, in my industry, construction, we have a severe skills shortage where both the heritage and preservation groups are complaining that there is no skills base for restoration projects, and architects and engineers are saying that new design is being crippled by the same lack of skills required for the execution of the work. In fact, an irony is that this building during the restoration process—I'm not sure if people saw the news that there was a severe shortage of skilled masonry experts, and I believe we weren't even able to tap into our local resources. Would it not be an ideal situation when the science centre could host a series of think-tank meetings with all of these diverse stakeholders about how to address the future skills shortages so that the quality of life we expect does not deteriorate?

In addition, the Ontario Science Centre does co-operative networking with our educational system, and we must acknowledge that the Ontario Science Centre provides an extraordinarily experiential educational experience. It is a wonderful way to expose people to learn through means that are democratic, ie, there is a broad range of exposure to the sciences that is not available elsewhere in one place through various tangible mediums, even through the mischievous teaching camouflage of entertainment where parents are interested in accompanying their children. The science centre does such a good job in its unique role that it should be championed under many ministries—the ministries of science, technology, education, economic development and culture.

1100

I was a board member when a fantastic presentation was made in the Great Hall about prejudice and dis-

mantling preconceived notions and expectations through scientific methodology. I invited a grade 9 class from my old high school, which for me was poignant, since when I was there it was predominantly white Anglo-Saxon and I was an outsider. In addition to being delighted by the diverse profile of the students today, I was thrilled about the opportunity provided through the Ontario Science Centre to expose young people to such a comprehensive, tangible, humanistic living lesson against discrimination as was presented at the centre.

I am also a successful business person. I know that, as a board member, the value-management exercises that we perform in the private sector must also be considered on behalf of the Ontario taxpayer. I believe there is not yet enough liaison between the public sector and the private sector and that the future of our relationships between these institutions cannot be just about fund-raising, but should be about a more fruitful exchange of ideas and efforts as invented by the Ontario Science Centre, where they would be considered the backyard garage or the basement where the Steve Jobs of the world could invent the future because the Ontario Science Centre was a resource and provided the inspiration and the confidence.

As I look through the recent exhibits, the proof is in the Petri dish. The Robot Zoo exhibit is described as an exhibit featuring animal robots which illustrate real-world animal functions. I'm not sure if you knew that the famous architect Santiago Calatrava designs his buildings around the science of the skeletal systems of men and animals. A new Santiago Calatrava may have been inspired by this exhibit.

Circus! is described as an exhibit that uses science to immerse visitors in the illusion and reality of the circus. Think of the economic and cultural benefits as ambassadors to Canada by the wonderful Cirque du Soleil troupe. This exhibit may have inspired a new Cirque du Soleil.

Timescape is described as an exhibit through which one can unearth the mysteries of time. Considering that new time has been created by the Internet world as Internet time—and I still have not figured out what Internet time is on my Swatch watch—the science centre is a living encyclopedia that is completely up to date.

In parallel to the current green summits and world meetings on sustainability, and the province's own initiative to save the moraine and promote smart growth, where better to present the issues of environment and human relationships in the future than through the Ontario Science Centre?

I congratulate the Ontario Science Centre for serving Ontario very well, and I thank you for the opportunity to be before you.

The Chair: Thank you very much. We will begin this time with the official opposition.

Mr Patten: Thank you for joining us today. In your outline, the information sheet we had, it says you are a former board member as well. Presumably your term was up when you left—

Ms Di Lorenzo: Yes. It was a three-year term.

Mr Patten: —and by popular demand they wanted you back. Who—

Ms Di Lorenzo: I was appointed by the New Democratic government at the time. After the three-year term—

Mr Patten: I see. Right.

Ms Di Lorenzo: It's good to get new blood in, but I'd like to go back.

Mr Patten: It says also, "as a board member and involvement with the construction of the IMAX project." Was that construction by virtue of being a board member or was this by virtue of your business relationships?

Ms Di Lorenzo: I believe, Mr Patten, that when I was placed on the board it was for the purpose of contributing to that exercise in terms of value management and overseeing the construction.

Mr Patten: Sort of overseeing with the committee because of your background in construction and all that kind of thing.

Ms Di Lorenzo: Yes.

Mr Patten: Good.

Ms Di Lorenzo: I believe we saved the taxpayer money in that exercise.

Mr Patten: You must have observed a few changes going back a little bit from your own experience. I guess it's the same kind of question I asked Ms O'Brien on the idea of being more self-reliant. It would seem to me that has increased to where now it's almost 50-50. How do you see that? What do you think the potential is for the centre's proportion of generating funds outside of government grants?

Ms Di Lorenzo: There's obviously opportunity. I think one of the venues is not necessarily exclusively to consider donations; it's actually participatory. That's where it becomes more of a resource as opposed to something that one puts their name on. I think we may have—not exhausted, but I don't know if the depth of that pool of funds is as extensive as we would require.

One other, I find, surprising piece of information is that, per capita, Canadians don't give as much in philanthropic efforts as Americans do. I don't understand why, but it could be that our institutions aren't yet as skilled at going out and making those co-operative efforts. I think that is probably the new future of public-private participation: not just the naming of the buildings but going out and finding what we can do for the private sector as a public institution and then asking the private sector to pay for those services.

Mr Patten: Not to anticipate Mr Martin's question, but do you see an outreach function of the centre that isn't so confined to—I shouldn't say "confined," but obviously somewhat limited to the travel of youngsters or people who want to attend the centre?

Ms Di Lorenzo: I think we're very lucky that technology has lent us the mechanisms to actually bring some of the knowledge base of the science centre to other locations, to remote locations. So through technology there could be all kinds of presentations.

In terms of interactive, we'd have to correlate, or the board would have to correlate, and coordinate with that community to see what in fact could be exported—but yes, absolutely necessary to act as a satellite and potentially have many satellites of information that get dispersed through the whole province.

Mr Patten: I noticed in the budget figures that OMNIMAX hasn't yet balanced its budget. Do you have a take on that?

Ms Di Lorenzo: My term as a board member ended I think a year after OMNIMAX was up. There is other technology that is competing with OMNIMAX. One of the other public institutions in fact has a similar theatre. I believe that will be a focus point to broaden the capability of all kinds of new visitors, but not necessarily exclusively in and of itself. I think it probably should be looked at in conjunction with other things the science centre can provide. But I do believe it improved exposure, and exposure is the first step to capitalizing on that sort of new energy.

Mrs McLeod: Is it your sense that the Ontario Science Centre board is operating under the assumption that there's absolutely no point in putting in a budget that would request an increased amount of government support?

Ms Di Lorenzo: That was a good question. I don't presume on their behalf, obviously, anything they could be thinking, but I don't deny that the public is aware that institutions may be obligated in the future to be more self-sufficient.

Mrs McLeod: It strikes me that there has been a consistent focus on the private partnerships in order to sustain the areas which are now apparently non-sustainable, at least on a revenue-neutral basis. As you may have heard from my previous questioning, I'm particularly concerned about the educational/school component of the Ontario Science Centre, and I loved your description of the science centre and its value; I share your views on that. That is why I'm really concerned about whether or not the financial pressures on schools—I speak as a northerner but I'm not even suggesting there should be a way found, through government resources, of opening the science centre to northerners. It used to be the case that people from other parts of the province could come down on school tours and avail themselves of what is supposed to be a provincial resource. I guess I'm not optimistic that we're going to see much development of that in the future. People from my community—we get maybe two groups per year that come down now because there are no grants for that any longer.

But I'm even worried about the greater Toronto area schools being able to avail themselves of a resource that is geographically within their community. I'm not sure that it's going to be possible to sustain even the level of contribution they've made now to make those programs possible. Is the only hope for school programs corporate sponsorships?

Ms Di Lorenzo: There are four or five answers I'd like to give. I always find it very unusual that there is an

antipathy toward corporate relationships and public interests. I don't think that in an entrepreneurial sense an enlightened capitalist is really a bad thing. I think it's a great thing.

Mrs McLeod: Don't take that as antipathy toward it. I just see an overwhelming movement in that direction and I think it can be stretched to the point where some things are going to fall by the wayside.

Ms Di Lorenzo: I appreciate that. You don't want the dependency, but there are ways to promote that relationship. For example, I sponsored a class from my old school. In a lot of ways that is almost like giving a donation in someone's name, and yet it was a living donation where 30 new students could participate. There could be all kinds of promotions saying, "Sponsor your old class, or sponsor this class," etc, and I think that's very positive.

In terms of education, anybody who is an entrepreneur and denies the absolute, essential urgency of education and the children co-operating with each other and with all sectors, science and the arts—it would be foolish of me to consider that that's not the most important thing for my business going forward. You build a company around people, and the private sector and the public sector have a responsibility in terms of the education of those people.

1110

The science centre has been really smart at doing things, as I said, under Machiavellian entertainment venues, attracting parents to possibly bring their children also. So it's going to be a co-operative effort going forward between families, the private sector and the government. But I don't think that in any way the relationship between the schools and the science centre should decline. We will have to very seriously look at either improving that or at least stabilizing the situation.

Mrs McLeod: I did appreciate very much your comments and your ideas about bringing people together to talk about skills shortages, recognizing that it's not just in science areas where we are experiencing skills shortages. I think that is the great untouched issue of the day, quite frankly. The demographics should have told us a long time ago that the skills shortages in a whole variety of fields are going to be extremely critical. So don't lose that thought.

Ms Di Lorenzo: OK.

Mrs McLeod: Thank you for being with us today. We don't often get a chance to talk about the science centre and explore visions for the future of the science centre as well as its present operations. I appreciate your being here and sharing your thoughts with us.

The Chair: We now move to the third party.

Mr Martin: Do you have any experience in development or activities outside of Toronto? Have you been involved in initiatives in other parts of the province?

Ms Di Lorenzo: I know from a recreation standpoint the Parry Sound area. But in terms of business, the last business experience was in Ottawa five years ago, building a building in Ottawa, and in North Bay 12 years

ago. Other than that, it's been outside of Canada; in Taiwan, for example.

Mr Martin: It may not be news to you but parts of Ontario outside of Toronto, outside of the larger centres, are really struggling these days to keep an economy going, to keep some of their people at home. There's emigration. We're losing population like crazy out of places like Sault Ste Marie. Since 1996, we've lost 6,000 people. Most of them are young and our brightest. It's quite depressing when you think about it. When I think of an opportunity like the science centre and what it offers Toronto—you have talked of some of the opportunity that's there—I despair that we're not getting the same kind of investment.

You mentioned in your opening comments that there was a need for the science centre to reach out and to be present in other parts of the province. It's nice to be doing things internationally, and even nationally, but if you're not doing something in your own province, particularly in parts of the province that aren't doing well, that are struggling not only economically, but maybe because of the economics, to attract some of the professionals that we need—you talk about a lack of tradespeople. We have a lack of doctors, nurses and other professionals in many parts of northern and rural Ontario. Do you see the science centre playing any role in that respect in those parts of the province?

Ms Di Lorenzo: If I think about the geology of the north of Ontario, there may be some projects in fact that could showcase elements of the rest of Ontario from a geographic or geotechnical area. In terms of exposing the science centre to those areas, I do think that the venues are the mobile demonstrations. If it's impossible to bring the people to the science centre, there may be some potential, once we have a mobile demonstration, to actually go and have satellite meetings all through Ontario.

So it would be two ways: one, to showcase elements of the rest of Ontario at the science centre—for example, as I said, the Precambrian Shield. The economic issues of small cities could be a very interesting project, what happens to small cities in the future.

I remember being at a conference in Europe called Urban Marketing, which was in the last recession, and the rest of Europe was saying, "How do we reinvent our cities? How do you reinvent a steel town into a recreation centre?" etc. Those conferences could be something the Ontario Science Centre could also host for the benefit of all the people of Ontario.

Mr Martin: Yes. Just a little warning to you that steel centres don't necessarily want to become recreational centres. They would like to be part of the new economy too. One of the ways they do that is by having the opportunity for some of our young and our brightest to stay at home and actually practise in their profession. The opportunities aren't there right now, particularly in the private sector. It seems that both presenters now being appointed to the science centre are really focusing on this entrepreneurial partnership with the private sector, and there not being, as you have suggested, the kind of

tension that maybe some of us think there is between public and private. But it's not working for us up in northern Ontario. The partnership isn't working for us. Government needs to be involved, needs to give leadership, needs to be partner with all of us who are trying to create a new economy, make the leap from—or at least balance the old economy with the new economy up there.

Ms Di Lorenzo: I don't necessarily think the technology sector was everybody's panacea. For example, the elements that were implemented from the technology sector gave more longevity to the economic cycles. I also know that, and this is a generic statement, in all the examples I've reviewed, to place something that's not domestic to a centre—for example, to say in northern Ontario that Huntsville should be a technology centre isn't necessarily in the best interests of Huntsville. I mention Huntsville because I do have some familiarity with it. Through Skills Canada there are people who volunteer, and I've been asked to go and lecture to students on what their future is in terms of jobs and skills.

In fact, the skills shortages are in the tangible, and those are the high-paying jobs of the future. So in Huntsville—I'll give you an example—what could be a resource that could be turned into something that could be value-added? All the industries that have longevity are value-added industries, not necessarily things that sprout from absolutely nothing. So I go back to the technology sector: although everyone wants, or everyone thinks they want, a technology centre—and I'm not presuming that this is what you're referring to; I'm just giving it as an example—it could be that the strength of northern Ontario will be to find what resources it has and to turn those resources into more tangible, value-added things.

Mr Martin: Do you know of Science North?

Ms Di Lorenzo: I'm familiar with it through my last experience with the Ontario Science Centre. I have never visited, I'm sorry to say.

Mr Martin: So you wouldn't have any comment on how we could add value to the fact that we have a science centre in the north and connect it somehow to the Ontario Science Centre and begin to do some things that would be helpful, or do you?

Ms Di Lorenzo: I appreciate that that's a concern to you, and if I am placed on the board again I would promise to go and visit Science North and see if there would be something that would be complementary.

Mr Martin: Thank you.

The Chair: We now move to the government party.

Mr Wood: We'll waive our time.

The Chair: The governing party has waived its time, so you may step down. Thank you very much for being with us today.

GRAHAM COVENEY

Review of intended appointment, selected by official opposition party: Graham Coveney, intended appointee as member, council of the College of Optometrists of Ontario.

The Chair: Our next intended appointee is Graham B. Coveney, who is an intended appointee as member, council of the College of Optometrists of Ontario. Welcome to the committee, sir. You have an opportunity, as you have observed, to make an initial statement should you see fit. Subsequent to that there will be questions from members of the three parties represented on the committee, and the questions this time will commence with Mr Martin of the third party.

Mr Coveney: Good morning, Mr Chair and members. My name is Graham Coveney. I want to thank you for the opportunity of being considered for this public appointment and also for the opportunity to speak with you this morning. I live in the riding of the Chair, Mr Bradley, in the Garden City of St Catharines, and I've been married to my beautiful wife, Sarah, for two years now. Six months ago, we went through a great life-changing experience when the Lord blessed us with the birth of our first child, Camille Sarah. It was an experience I will never forget—I am sure my wife more than me. You can just ask her that. Family is very important to me. I believe the family is a cornerstone of a strong nation.

As for my employment, I've worked in the financial industry now for over 11 years. In 1999, my company asked me if I would launch our financial planning division in the Niagara Peninsula. I gladly accepted and it's been one of the great decisions of my life. I currently work as a financial planner with TD Waterhouse Financial Planning, helping families create financial plans as a road map to their retirement, and I receive great satisfaction from what I do. I hold the internationally recognized designation of certified financial planner, CFP, through the FPSC, which is the Financial Planners Standards Council.

Some of my volunteer work has included working with community television, where I have numerous roles but mostly as a cameraman covering local events. I have coached minor hockey for six years, ages eight to 14. This, I must say, is a very rewarding experience for me: watching these kids grow up and seeing what an impact a sports coach can have on their lives.

I'm very involved with my local church in community outreach events and programs. Some of these include free kid fun fairs, concerts and helping families in our community that are in need, to name a few. My community is very important to me and I believe everyone should be involved in helping their community in some way. I strongly believe that if you want a better quality of life, you have to work toward that. This does not happen by sitting on the sidelines and warming the bench, but rather by getting involved and helping in every possible way to help this happen.

1120

Having a young family, which I hope will continue to grow, I want to ensure the quality of life in Ontario continues to improve. I know it is my duty as a resident of this great province and as a father to do my part to help ensure that this happens.

I believe the experience in my profession in dealing with people and finding ways to resolve their issues would be a great asset to the council. I believe that I would play a positive role as a public appointee on the council and look forward to the challenges and learning that would come with the role. I will be strongly dedicated to the role and believe that I would have valuable input. I would hope that in some way I could do my part to continue to improve the quality of life in this province for my children and the rest of the people of Ontario. Good health care is vital to ensuring a good quality of life in this province and this country, and I look forward to the opportunity to play a role in this area.

Once again, I want to thank the council for considering me for this appointment and allowing me to speak with you today. Thank you, and I'd be happy to answer some questions at this time.

The Chair: Thank you, sir. We begin with the third party.

Mr Martin: I'm just interested; there's nothing in your resumé to share with us why you'd be interested in this particular appointment, the College of Optometrists of Ontario. You talk about bettering the quality of life of people in the province. I suppose if I worked at it I could figure out how this appointment would connect to that in some way. But why this appointment?

Mr Coveney: As I said in my opening comments, I believe health care is vital to the prosperity of the province. Optometry is one of those; it's part of health care. In the Niagara Peninsula, we have a very aging population. I believe eye care is going to become a more vital part of the health care system as we continue down the road, and I think playing some type of role in that would be something I'd enjoy doing.

Mr Martin: But why optometry? Is there a particular personal interest there?

Mr Coveney: Not necessarily a personal interest. I just wanted to be involved in some type of health care appointment. Optometry was one that came up, and definitely it's something that was of interest to me once I found out about the appointment.

Mr Martin: How did you find out about it?

Mr Coveney: I have a friend who works in Tony Clement's office. He had mentioned the public appointment to me, would I be interested in taking on a public appointment, and I definitely assured him I would be.

Mr Martin: Was there an array of appointments presented in terms of what you could pick from?

Mr Coveney: There was one earlier. There was the midwifery public appointment, which I'd indicated I'd be interested in also. When our daughter was born we went through midwives, and definitely that was of some interest to me too, but that was not available at the time.

Mr Martin: So it was Mr Clement's office that was encouraging you?

Mr Coveney: I wouldn't say it was encouraging me. He just mentioned that there were some public appointments available, and I indicated I would be interested.

Mr Martin: I don't see in your resumé here anywhere any reference to any political activity that you might be involved in. Do you mind sharing with us some of your background?

Mr Coveney: I've had some political involvement. I don't mind sharing that. Federally with the Canadian Alliance Party, I've had some political affiliations there and also provincially with the local Progressive Conservatives.

Mr Martin: In accepting this appointment in a spirit of being non-partisan, did you consider at any point perhaps dropping those memberships so that you might serve in a way that would be—

Mr Coveney: No. I believe I can have political affiliations and still do a proper job in my role. I don't believe political affiliation has any bearing on how I'll be effective in my role.

Mr Martin: So what do you hope to accomplish in terms of the College of Optometrists? What are the challenges there that you see that have jumped out at you and said, "This would be a good fit for me"? What are the issues right now in optometry?

Mr Coveney: A couple issues are before them. Right now, the optometrists in the province can't prescribe medication, and I know they are looking toward being able to do that. I think that's one issue that's important there. Also, I believe another important issue is between the three colleges: optometrists, ophthalmologists and opticians. They are now going through some times where the opticians also want to prescribe and dispense. I think that's an area that's being talked about at the colleges right now. There are issues on the table.

Mr Martin: What would your take on them be? Where would you like to see that go in terms of—

Mr Coveney: I would obviously like to see it resolved. I don't have enough details on the intricacies of it, but definitely I would like to see it resolved rather quickly. I know the Minister of Health sent a letter, I believe back in November of last year, wanting the three boards to get together to resolve it, and to date I don't believe they've come up with a resolution yet.

Mr Martin: OK. Thank you very much.

The Chair: We now move to the government caucus.

Mr Wood: We'll waive our time.

The Chair: The government caucus has waived its time. We move to the official opposition.

Mrs McLeod: I would lead off my questions by asking just how you see the role of the College of Optometrists.

Mr Coveney: How do I see the role of the council?

Mrs McLeod: Yes.

Mr Coveney: Obviously what I've read is that the council is the regulatory body of the College of Optometrists and is there to ensure that the policies and regulations are being followed by the college.

Mrs McLeod: Could I ask you your views on a self-regulatory body?

Mr Coveney: I believe it's important as a self-regulatory body, but I also believe it's important as a

public appointee to have an outside look at the profession. I look at my profession as a financial planner, and we can get together as financial planners and talk about a number of areas and say, "We think this would be best for our clients," but without some outside clients saying, "I don't want that. Here's what I want," I believe that's where the part of the public appointee will play a good role in the council.

Mrs McLeod: In a self-regulatory college, of course, the lay members are a minority as opposed to the professionals, which are the majority. You spoke about resolving issues between the various colleges. Let me just get your thoughts on this. Quite frankly, it's a three-way turf war that goes on in this area. Presumably, the professional majority on the college is going to want to set its standards for optometry. How do you see resolving that when those standards come into direct conflict with the standards of another self-regulatory body—the College of Opticians, and yet another, the College of Physicians and Surgeons representing ophthalmology—standards which they believe are appropriate for their bodies?

Mr Coveney: Again, I think it is a difficult issue and that's why it hasn't been resolved yet. I think ultimately the patients' safety and well-being have to be considered in any changes or amendments to any of the acts. I believe that should be the ultimate concern. I believe if it can be shown that patients' safety or well-being is OK with any amendments to the act, then that is something I think should be considered.

But you're right, it's a very difficult time to get three different areas that do have their own interests to agree on something, but you can't give up on it. You still have to work toward that.

Mrs McLeod: Do you have any personal views going into this about the expanded role for optometrists in terms of prescription and diagnosis of disease?

Mr Coveney: As I indicated, I know that's an issue going on right now and I know that optometrists do have training in pharmaceuticals. Again, I'd go back to having to look into that more, as to what type of exact training is there and, again, the patients' utmost safety and well-being to be taken at hand. I know also that they've indicated, too—I think there are only 400 ophthalmologists in the province right now and it's declining. The optometrists' argument was that it would be more cost-effective for the health care system if they were also able to prescribe. So anywhere we can create efficiencies in the system, I'm for it, but again, taking the patients' safety and well-being is number one.

Mrs McLeod: You come from the St Catharines area where there is a shortage of ophthalmologists. It's been an issue that my colleague, the Chair of the committee, has raised repeatedly. Do you see the whole issue of optometry and ophthalmology—do you see some prospect for dealing with shortages in the Niagara area through a greater use of optometry?

Mr Coveney: As I indicated earlier, I believe that with our aging population in Niagara—as people get

older, obviously their eyesight tends to weaken. I believe it's going to become an area, not just in Niagara but all over the country, where there's going to be a greater need for it. But I believe especially in the Niagara area, because right now we are becoming known as one of the biggest retirement communities in the country. So I believe it will be a very important area in the health care system coming down the road.

1130

Mrs McLeod: There's another issue and that's opticians and optometrists. One of the issues is that opticians are not able to do any prescribing for glasses, but optometrists, who can do prescribing for glasses, are now allowed to sell. They can dispense. They can sell the glasses. I'm less interested in your reaction to that, because I know you're going to tell me it has to be resolved, but do you have a problem with the whole issue of the health care professional who is also the salesman of the product he's prescribing?

Mr Coveney: Again, I don't necessarily have a problem with it, but I believe there has to be some governing council in there to ensure that what they're prescribing is what's best for the patient.

Mrs McLeod: How do you do that on a governing council? You can't oversee every optometrist in the province.

Mr Coveney: No, but under a licensing issue, if you have gone through the schooling and you agree to follow the procedures and principles of optometrists, that's something I believe as a professional you would want to do. I agree that governing that can be very difficult, but again, that's something I believe we may have to allow the optometrists to do. I don't necessarily have a problem with it.

Mrs McLeod: How do opticians stay in business?

Mr Coveney: Again, I know they have something too, wanting to be able to prescribe. As I'd indicated earlier, I don't necessarily have a problem with that either, because I know they've gone through a lot of training and they've indicated they're able to. Again, I'd need more information on that. But the utmost thing is that the patient's well-being is number one. If it is, I think if we can find efficiencies in the system, absolutely, let's do it.

Mrs McLeod: Lastly on my part, are you familiar with the role of the Health Professions Advisory Board?

Mr Coveney: Sorry, would you repeat that?

Mrs McLeod: It's the Health Professions Advisory Board. It advises the minister on regulatory matters.

Mr Coveney: Not overly, no.

Mrs McLeod: I won't push the issue, then.

Quite frankly, one of the confusing things I've found in the minister wanting to have these issues worked out between the three bodies is that there is an advisory body that advises the minister as to any dispute in terms of scope of practice and the regulations, and advises action under the law. It's my understanding that on at least one of these issues, the body has advised and the minister has accepted the recommendations. So I was a little unsure what remains to be left out, but perhaps at some point in the future that will become clear to both of us.

Thank you, Mr Chair.

Mr Patten: In your background you listed something called the Conduct and Practices Handbook. Is that something you developed or is it something that—

Mr Coveney: No, actually the Conduct and Practices Handbook is—we're registered under the Investment Dealers Association, and as that, you have to take this Conduct and Practices Handbook, which is basically our rules and regulations for being in the business that we are in.

Mr Patten: So that means you have it, you're familiar with it and you abide by it, presumably?

Mr Coveney: Absolutely.

Mr Patten: You list university-level courses in marketing and economics. What university was that?

Mr Coveney: U of T, Erindale campus.

Mr Patten: What kind of courses did you take there?

Mr Coveney: Like I said, economics and marketing; more or less entry-level courses there.

Mr Patten: Are you aware of the phenomenal compensation that you get by being a member of this council?

Mr Coveney: I read about it. I'm aware that there is some per diem per day.

Mr Patten: That's all the questions I have.

The Chair: That completes the questioning. You may now step down. Thank you for being with us today.

We will deal with the appointments in terms of motions that will come forward. Subsequent to that, I'll ask the committee on an informal basis about where we are with government agencies, the actual agencies, but I'll ask that after we deal with the various appointments.

The first appointment to be dealt with is Gail O'Brien, intended appointee as member, board of trustees of the Centennial Centre of Science and Technology.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Any discussion?

Mr Martin: I'm probably going to support this appointment but I have to put on the record that I was a little disappointed that, being appointed to the science centre, she had no knowledge whatsoever, it seemed, of Science North, which would be, in my view, a natural ally, and that if this person was interested in the outreach component or potential capacity of the centre, she would be aware of and be already looking at how that facility might be incorporated into a larger plan for the province. I just wanted to put that on the record as a concern that I have with this appointment, but will probably support the appointment.

Mrs McLeod: Being a northerner, I would share Mr Martin's concern if the Ontario Science Centre was not prepared to look at the kind of support it gives to Science North. I do recognize that Ms O'Brien has only recently come to the province and probably hasn't had an opportunity to really recognize the relationship that's there. But I certainly share his belief that that is part of the mandate of the Ontario Science Centre and I'm glad he opened that area of discussion today.

The Chair: Further discussion? If not, all in favour? Opposed? The motion is carried.

The second appointment is Julie Di Lorenzo, intended appointee as member, board of trustees of the Centennial Centre of Science and Technology.

Mr Wood: I move concurrence.

Mr Martin: The same issue: I think that this person is probably quite competent and capable and will do a good job, but the fact that she was a member of the science centre board before and has not yet visited Science North in Sudbury, which is a rather significant centre in the province and should have some natural alliances with the Ontario Science Centre, is disturbing—and that the government wouldn't be looking for appointments to this board that would include a knowledge and an understanding of the north of the province so that any future plans would incorporate and have some intimate knowledge of what the opportunities and the challenges are in areas outside of the larger centres that need to be explored and built on, value added, as she suggested. I take her at her word that she will, on her appointment, make an effort to visit Science North and get to know about it and perhaps from there begin to build some plans that would include Science North and the north and those parts of the province that are distant or rural from the larger centres.

I have a concern that we're building, and in a rather aggressive way, lots of facilities and new opportunities in the larger centres and forgetting that the outlying areas like the north and the rural areas are not growing, that as a matter of fact they're shrinking. I mentioned in my questioning to one of the applicants this morning that the population of the north has shrunk significantly since 1996—the last census was 2001—anywhere from 5% to 10%, depending on what community you're looking at. Certainly my own community was hit very hard, with a reduction of around 6,000 people, some of them our brightest and with potential, if there was opportunity for them to stay at home, to actually add value and grow the economy and the quality of life of our area.

I have some real concern, one, that the government hasn't considered in its appointments—we had two here this morning to this very important facility—people who have knowledge and experience and understanding of other parts of the province and who have not involved themselves in the activities of Science North.

So even though, again, I'll be supporting this appointment because I think she does bring a lot of other talent to the table, this is a piece that is obviously missing and I hope she will develop it in short order on her appointment.

Mrs McLeod: Again following Mr Martin's lead—and I would certainly support both these appointments because I think both women have shown that they have a background of interest and an enthusiasm for the job—I am concerned about the mandate of the Ontario Science Centre to be a provincial resource. It is no longer possible for it to serve as a provincial resource by having people from the north come to visit it, certainly in the sense of school trips.

1140

There was at one point an effort made by the Ontario Science Centre to have satellite programs—one in Thunder Bay. It was highly successful. It was a mobile unit that the science centre prepared and sent out in the summertime so that there could be some exposure of people in the north to at least some part of the science centre. I don't know whether it touched base in the Soo or not. It was withdrawn because of the funding concerns.

I guess the sense from the presenters we had today is that if we're ever going to see anything like that again, it's going to have to be through some kind of corporate sponsorship that would bring it into northern communities. But if that is ever going to happen, there are going to have to be representatives of those communities on the Ontario Science Centre board to make that case. Although I'm supporting these two appointments, recognizing that they are both from Toronto, I would just hope that there is some attempt on the government's part to reach beyond the greater Toronto area in the future.

The Chair: Any further discussion? If not, all in favour? Opposed? The motion is carried.

The third appointment is Graham B. Coveney, who is the intended appointee to the council of the College of Optometrists of Ontario.

Mr Wood: I move concurrence.

The Chair: Concurrence is moved by Mr Wood. Discussion?

Mr Martin: I'll be opposing this appointment in that I just find it more and more difficult as I come week after week to this table to consider the appointments that the government brings forward. We continually, more and more, see people appointed who are of the same political persuasion, friends of cabinet ministers. It doesn't speak to the wide variety of good candidates out there to be appointed to some of these boards and commissions.

In this instance, we have somebody who has no experience with the field that he's being appointed to, nothing to suggest that he's had any interest in this. He has even considered being appointed to the college of midwifery. I found that kind of interesting and somewhat strange.

I think the only thing that qualifies, I would suggest, in the government's eyes, this appointee as being suited for this appointment is the fact that federally he's an Alliance member and provincially he belongs to the Progressive Conservative Party and is a friend of Minister Clement's. You'll remember the last meeting when we sat here. I was criticized for being critical of actually participating in the appointment. I think one of the members across the way had to absent themselves because we were actually appointing his sister-in-law to an appointment in London. I can no longer continue to support that kind of blatant patronage that is going on here and will indicate so by not supporting this appointment here this morning.

The Chair: Any other comment?

Mrs McLeod: First of all, let me say that I'm not sure what I would expect in terms of background for a lay

member to serve on the college of optometry, so I wasn't so much looking for that. I did think this gentleman had at least investigated some of the issues or, knowing he would be coming to the committee, felt it was imperative to investigate some of the issues. I obviously don't think that belonging to a political party should mean that you don't get to accept appointments.

I guess it's the first time I've sat in on the government agencies committee and I admit to some surprise, though, at the way in which public appointments are being made. I haven't had the experience Mr Martin has with similar appointments coming forward, but as a point of information, could I ask, is there any kind of public advertising of vacancies on boards where public provincial government appointments are to be made?

The Chair: I believe it varies, but I'll ask our clerk or perhaps our researcher, one of the two, to comment.

Mr David Pond: I don't think staff of the committee should be—

The Chair: OK. Maybe I can ask Mr Wood. Would you help us out on that?

Mr Wood: The details of what they do in terms of public advertisement are on the Web site, as far as I know. Many—I don't want to say all—are advertised publicly.

Mrs McLeod: So there is no standard policy in terms of a wider circulation? I know once upon a time all members' offices used to circulate names of people in their communities who might have some interest or background in a particular area, and I know that's no longer a practice. So I wondered what the substitute practice was for canvassing for interested and qualified individuals to serve in public appointments.

Mr Wood: I would invite you to look at the Web site, and if any questions arise, pass them along to me or the Public Appointments Secretariat.

Mrs McLeod: I would have thought that the members who are regular members of the committee might be able to answer the question.

Mr Wood: There is no simple answer. It varies from appointment to appointment.

Mrs McLeod: In that case, as a first-time member joining this committee, I have to express my own surprise that the answer to the question Mr Martin posed about interest was that there was a call from the minister's office and the minister basically said, "We've got this one or we've got this one." It wasn't as though the College of Midwives of Ontario or the College of Optometrists were important appointments, which I believe they are, and were looking for people who have had some interest, some background, whatever; it was, "Here's an appointment. It doesn't really matter what it is. Would you be interested in one of these?" That really concerns me. I'm not sure whether that's grounds on which to oppose a specific appointment, but the whole process of the appointment certainly causes me some concern.

The Chair: I think what you are making reference to under the government of which Mr Martin was a member—they provided to each of us a yearly one that each

constituency office had. I think the local library had it as well. I think Mr Wood points out that while that may not exist at the present time, from time to time on the government Web site there is some availability. It's not perhaps what it once was or as easily accessible, and that may be something members of the committee have heard, particularly government members of the committee. You may want to pass that along to the appropriate people in government, as they do so well.

Mr Wood: The Web site is intended to provide the same service as the book did, only in a more up-to-date fashion. The book obviously became immediately outdated. The Web site is as current as the thing can be kept. So we are of the view that we provide a lot more accessibility now than we did under the old book system.

The Chair: There is the discussion. I won't get in the middle of this one, as the neutral Chair.

Any other discussion of these matters? OK, I'll call for a vote on Mr Wood's motion. All in favour? Opposed? The motion is carried.

The next question I have is how Mr Dunlop got such a nice shirt. I think members of the committee were interested in that. What a nice shirt he's got on today.

Mr Garfield Dunlop (Simcoe North): I actually got this last year. I don't know who gave it to me; I think I won it somewhere.

The Chair: They are really nice shirts, I must say.

Mr Dunlop: Yes, it looks good on me especially.

The Chair: A good ambassador, yes. Actually, I think I had one from a Christmas auction they had upstairs.

Mr Dunlop: Yes, I think it was something like that.

The Chair: Well, thank you very much for that part of it.

May I just informally ask: Mr Wood, Mr Martin and Mr Gravelle have been discussing for some period of time the possibility of certain government agencies; the specific agency they were discussing was the community care access centres across Ontario. Mr Wood, do you have anything to report?

Mr Wood: Yes. A number of formal suggestions were made, and I've received a number of informal suggestions. If I were to attempt to summarize what I've heard, it would be along these lines. There seem to be three issues around which there is concern: (1) whether the resources currently being given to the community care access centres are adequate to discharge the tasks which they have been given; (2) whether the appointment of board members and executive directors by the cabinet is an appropriate way to get the right people for these positions; and (3) whether the community care access centres are using the resources in the most efficient manner possible. Those seem to be the three issues I've been advised members are concerned about.

We also have the issue of which CCACs to review, and we've had a number of ideas suggested on that.

We also have an issue that I haven't heard a lot of comment on, and I might invite comment from any who might wish to make it today, as to how much time should be allocated to this enterprise.

What I propose to do is to suggest we might discuss this today and I at least would propose at the next meeting to present a motion which the committee can then consider. Others may of course wish to do the same. But I would suggest we discuss it today as opposed to dealing with motions today; give people a chance to digest what they've heard.

1150

Mr Martin: I guess it is now becoming quite frustrating, that we just keep going over and over this thing. We brought forward a very simple request, a long time ago it seems—I forget how long ago it is now—for a review of appointments to CCACs, given the hostile takeover that happened before Christmas of last year in that whole area, so that we could determine whether in fact these boards were able to do the job they are assigned, given the new regulations regime and funding. There's just a whole whack of areas that, if we could get some members of these CCACs before us here, we could delve into and ask questions around and about. I'm not sure what the holdup is now in terms of just simply saying, "OK, we'll call two or three boards, their executive director, their chair and other people as identified by the three caucuses as necessary to do a good and complete review of where we're going with this." But we don't seem to be able to nail down a date and names of some agencies so we can get them in here.

If you're asking how long it would take, I would say probably at least a day for each board. I don't think we want to be hauling people down here and keeping them for days on end, but certainly a day at least for each of the boards we would call. That would be one suggestion, my suggestion. Perhaps others think that we would need more time, and that would be fine too by me. If the government caucus decides it wants to participate in the questioning that goes on at this committee level, then we might want to look at maybe more time. But certainly for now, if it's only the Liberal caucus and the New Democratic caucus asking questions, perhaps a day will be enough.

I would hope that after all this time of back and forth and the obvious work that Mr Wood has done and is doing on our behalf on this front, we could finally get down to saying, "OK, next week we're going to have the CCAC from Sudbury in here." That was one of the groups mentioned that we would have some interest in speaking to. Let's get on with it so that we can report back to the people we serve, the people of Ontario, as to whether in fact this initiative is working in their best interests or not.

Mr Patten: I'm substituting today for Mr Gravelle, and I know he has an abiding interest in this as well. Generally, I would suspect most members must receive numerous appeals at their offices through telephone calls or what have you concerning the role and the cutbacks to the CCACs and the—Mr Martin uses the term—takeovers that took place, and it happened in my community as well. The executive director got fired because she spoke up. She was considered to be extremely competent.

There are new board members in place, all with the same political stripe, I would point out. So I think it does raise the question for this committee in terms of appointments.

Mr Wood identifies resource levels, the appointment for people and the efficiencies of resources. I think some of those questions I'm not sure this committee needs to address so much as flag perhaps for another committee, the social development committee or one of those—

Mrs McLeod: Estimates.

Mr Patten: Yes, maybe estimates or public accounts.

But certainly the procedure around appointments was pretty heavy-handed, and if this committee has any sense of contributing to the integrity on behalf of the public, engaging public institutions on the basis of the very best available and not whether you agree with the government 110% and whether you're a member of the ruling party's party.

So I would certainly agree with the recommendation by Mr Martin. I think it would be a worthwhile exercise. I'd want to attend myself and invite a few and have each caucus select a couple of CCACs to come in and talk about their experience and allow the members to pose questions.

Mr Martin: Just one other question, I'm not sure to whom, but there was the issue of whether the appointments could be called forward to this committee because of the parameters that were put around it: they were only being appointed for a year and a few other things. We haven't had any of the appointments that have been made to CCACs show up on the orders in council that we choose from in order to bring people forward here. Is there any new information on that front?

The Chair: I can read from our standing orders. Speaker Stockwell, April 30, 1997, said:

"The starting place for the government agencies committee is the certificate it receives from the public appointments secretariat. It does not ferret out appointments that should have been referred but weren't. Likewise, there is no way that a Speaker could possibly be in a position to determine which intended appointments should or should not be referred to the committee."

So it really gets down to the fact that there must be a certificate from the public appointments secretariat. Mr Wood may be able to provide us with a little more information because he's been doing the spadework in this regard.

Mr Wood: I think what the standing orders say is that an appointment cannot be submitted to the Lieutenant Governor for signature until the standing orders of the House have been complied with. As far as we know, they have been in each case. If a case is identified where the standing orders have not been complied with, I would invite whoever is aware of that to let me know and I will certainly immediately investigate it. But the standing orders govern what has to be submitted here and if there's any instance anybody is aware of where the standing orders have not been complied with, certainly I will immediately pursue it because an appointment is not, under the standings orders, supposed to be submitted to

the Lieutenant Governor for signature until the process outlined by the standing orders is complied with. If there's any case where that's not happening, we certainly would want to know about it. I'm not aware of any case where the standing orders have not been complied with, but I'm not all-knowing, so it may be that something has happened that I don't know about.

The Chair: To your knowledge, then, since all of these appointments are one-year and therefore would not normally fit under the parameters of this committee, then the government would be in compliance with the standing orders and we are not receiving those appointments before this committee because they would be for one year?

Mr Wood: My understanding is that the committee has no jurisdiction to review anything other than pursuant to the standing orders. So if we got one that didn't require review, I don't think we could review it. I think we have two functions: one is to review appointments as set out under the standing orders and the other is to review agencies. That's it. I don't think we can get involved in frolics of our own that aren't within the standing orders.

The Chair: As I understand it, the two opposition parties have expressed a hope that the appointments that are made to the community care access centres could come before this committee. It appears at this point in time that the only way that could be the case is if the appointments were increased to two years, which would then place them under the purview of this committee.

Mr Wood: Or that the standing orders are changed.

The Chair: Or the standing orders be changed. I think Mr Wood makes a good point there.

Mr Martin: I understand what the Speaker in the ruling said and what Mr Wood is saying here, but I think all of us also on another level understand what's going on here. It's a frustrating of the system that we've put in place over a number of years to make sure that all appointments made on behalf of the people to oversee the expenditure of these very public monies and deliver services that are very important to some of our more at-risk and fragile seniors and disabled people in the province—and we at this board charged with reviewing that cannot get access because the government has found a loophole and is only appointing these new members for a year. I don't know about you, but to me it's an insult and an affront to the democratic processes that I think we all, at least in coming here, hope to serve, and are not able to in this instance. It's really frustrating.

1200

Mr Wood: I wonder, Mr Chair, if I might invite all interested parties to write to me with a list of the CCACs they think should be reviewed. I'd like to consider the views of others in drafting my motion, so I'd like to invite anyone who has a suggestion to pass that along to me, say, over the next few days so that I can consider that when I draft my motion.

Mr Martin: We've already done that, Bob.

Mr Wood: Could you send me a copy of what you've done, just so we have a file that's current?

The Chair: Perhaps if there's an update of anything that any of us have already submitted to Mr Wood, if there's something additional, and included with the original, it is a helpful suggestion from Mr Wood that when he is framing the motion that he'd like to put before the committee, he have the input of other members of the committee. So I will invite—I again emphasize the invitation from Mr Wood for other members of the committee to submit to him their suggestions on which agencies would be called before the committee.

We cannot formally deal with this at this time because we are in a session outside of the legislative session; therefore, we are mandated at this time only to deal with matters related to appointments by the government, order-in-council appointments. However, on an informal basis we are able to exchange our views, and that's why I've invited that today. I certainly hope that members will take advantage of the offer Mr Wood has made to submit suggestions to him on which agencies you believe should be reviewed by this committee as agencies.

Mrs McLeod and then Mr Martin.

Mrs McLeod: Mine was on another matter before the committee adjourns, Mr Chair.

The Chair: OK. I'll go to Mr Martin.

Mr Martin: Just a request, if I could, to either legislative research or the clerk to maybe make available to us—I suppose we could do this ourselves, but it would be helpful if it was easier—a list of the times that we've discussed this now, the comments that were made, and the CCACs that were suggested by both Mr Gravelle and myself to be called on our behalf before the committee. I think this is the second summer we've been through this, isn't it? If I remember correctly, we talked about this last summer, hoping that when the House—the very same comment was made back then by the Chair, that "We're in intersession and so we can't deal with this," that we had to wait until the House came back. Then the House came back and we still didn't deal with it. So if we could have some information presented to us that indicates how long we've been at this, how much discussion we've had and how many times we've gone over the same turf, it would be interesting and helpful.

The Chair: I'm sure he'd be happy to do that.

Mr Wood, are you on this matter here?

Mr Wood: Yes, I'm on this matter.

The Chair: Yes. Mrs McLeod has a different matter.

Mr Wood: If indeed this matter is not going to be in order until the House resumes, perhaps I could ask you to put this on the agenda at the first meeting after the House has resumed, and at that time I want to make my motion.

Obviously I don't want to make my motion until it's in order. So if I could ask that that be put on as an agenda item for the first meeting after the House has resumed, I would propose at that time to make a motion which can be considered by the committee.

The Chair: OK. Thank you very much. Anything else on this matter? If not, we'll move to another matter.

Mrs McLeod: Thank you, Mr Chairman. I'd like to take advantage of my sitting on the committee today to ask for a point of information related to appointments to government agencies, boards and commissions. My question is whether or not it is universal practice with appointments to require all board members, all appointed members, to sign affidavits of confidentiality that preclude them from speaking publicly about the work they're doing.

The Chair: I suppose that's information we can try to obtain, and we will try to obtain that information. I can't say that I'm aware that that is the case. I've heard that said from time to time, but "heard that said" is not good enough for our committee, so perhaps we can do some investigation of that to at least determine whether that is one of the conditions under which a person gets appointed to an agency.

Mrs McLeod: I'm not on a fishing trip, Mr Chairman. I'm aware that people appointed to the board of Cancer Care Ontario have recently been asked to sign such an affidavit. I'm also aware that has not happened before. But they have been told that it is a requirement, has always been a requirement and it's just now being enforced. I think that makes it a legitimate question for the committee which deals with government agencies as well as with appointments.

Since I don't anticipate an answer could be forthcoming, I would be very appreciative of finding out whether this is an exceptional situation, whether it is being applied across the board as a new policy and, if it's not universally applied, which board members or members of agencies are in fact being asked to sign such an affidavit.

The Chair: That indeed is an interesting subject and we will try to obtain that information for members of the committee, and ultimately it can be made available to you.

Any other business before the committee? If not, I'll accept a motion of adjournment.

Mr Steve Gilchrist (Scarborough East): So moved.

The Chair: Mr Gilchrist has moved adjournment. All in favour? Opposed? The motion is carried. Thank you very much, members of the committee.

The committee adjourned at 1206.

CONTENTS

Wednesday 4 September 2002

Subcommittee reports	A-37
Intended appointments	A-37
Ms Gail O'Brien	A-37
Ms Julie Di Lorenzo	A-40
Mr Graham Coveney	A-44

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Wayne Wettlaufer (Kitchener Centre / -Centre PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Garfield Dunlop (Simcoe North / -Nord PC)

Mr Doug Galt (Northumberland PC)

Mr Steve Gilchrist (Scarborough East / -Est PC)

Mrs Lyn McLeod (Thunder Bay-Atikokan L)

Mr Richard Patten (Ottawa Centre / -Centre L)

Clerk / Greffier

Mr Tom Prins

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

A20N
C19
G52

Document
Library

A-4



A-4

ISSN 1180-4335

Legislative Assembly of Ontario

Third Session, 37th Parliament

Assemblée législative de l'Ontario

Troisième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 25 September 2002

Journal des débats (Hansard)

Mercredi 25 septembre 2002

**Standing committee on
government agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues



Chair: James J. Bradley
Clerk: Anne Stokes

Président : James J. Bradley
Greffière : Anne Stokes

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 25 September 2002

Mercredi 25 septembre 2002

The committee met at 1006 in room 151.

SUBCOMMITTEE REPORT

The Chair (Mr James J. Bradley): I will call the meeting to order this morning. We have permission from Mr Martin to proceed, and that will permit us to start as soon as possible, which will be now.

The first item of business is the report of the subcommittee on committee business dated Thursday, September 5, 2002.

Mr Bob Wood (London West): I move its adoption.

The Chair: Mr Wood has moved its adoption. Any discussion? If not, all in favour? Opposed? Carried.

INTENDED APPOINTMENTS

JOHN RICHARDSON

Review of intended appointment, selected by third party: John Richardson, intended appointee as member, Muskoka, Nipissing, Parry Sound and Timiskaming Grant Review Team.

The Chair: Our first intended appointee is John E. Richardson, intended appointee as member, Muskoka, Nipissing, Parry Sound and Timiskaming Grant Review Team. You may come forward, sir. Welcome to our committee. As you will have been informed, you have an opportunity to make an initial statement if you see fit, or you may simply allow the questioning to begin. That is your choice, sir. Subsequent to a statement, if you make one, members of the committee will direct questions to you.

Mr John Richardson: Mr Chairman, committee members, I'll just take this opportunity to review part of my resumé and give you a bit of the background of why I'm here.

I started working for Richardsons North Bay Ltd, which was a family hardware business established in 1885. This business went from a tinsmith's shop to a hardware store to a china and gift store, furniture, building supplies, and finally, sporting goods. I was sporting goods division manager from 1960 to 1979, and president and COO from 1979 to 1998.

As for the parts of my resumé that I feel are relatively important to this committee, I was with Sports Distributors of Canada, a founding member and part-time buyer for 200 stores. In the area of sports, I was a

founding member of the junior soccer program, which now has over 2,000 participants, and, I might add, received one of three awards given to date by Soccer Canada. Also, I was a founder of the North Bay Ski Racing Club, which has so far placed 11 skiers on the national team. I was a member of the Canadian Ski Council, a member of the Ontario ski team directorate, and I was chairman of the alpine ski division for northern Ontario.

In the area of environment, I was appointed to the first board and helped with the formation of the North Bay-Mattawa Conservation Authority. In the area of sports recreation environment, I am now on the Jack Pine Hill advisory board. This board oversees multi-use aspects, a combination of Vincent Massey public school, a recreation area that includes a new ski-snowboarding hill, a tube park, mountain bike, interpretive trail, and a snowshoe operation. In the area of environment, my late brother and I provided the money and negotiated the land use from a Canadian forces base of 300 acres overtop of the NORAD stage site, and the initial trail at this point is eight kilometres long.

In the area of social services, I've been a member of the Kiwanis Club of North Bay since 1963. I'm still very active. And I belong to a not-well-known group called the Kennedy Fall Fellowship. It's a quiet organization of 150 business people who donate money to deserving individuals who don't meet existing government criteria. It'll give you, hopefully, a quick rundown of what I've done to date, and I look forward to your questions.

The Chair: Thank you very much. We're scheduled to begin with the government caucus today.

Mr Garfield Dunlop (Simcoe North): Mr Richardson, first of all I'd like to congratulate you and thank you for wanting to be part of the grant review team. I'm a huge supporter myself of the Trillium Foundation, and at least in my riding—I don't know how many other ridings found this—but I found out that the grant review team has a very diverse area to look at: social programs, educational programs, recreational grants, environmental grants. They've all been very important. Particularly in the rural Ontario aspect of it, we've seen the money distributed to a wide variety of people in all those different programs. I think there's been a lot of very happy people with that.

I was just curious. Obviously, recreation has been a very important part of your background, having to do

with the skiing etc., in North Bay, the national ski team etc. Have you got any interest in social programs, environmental programs, that type of thing, that you might have some expertise in that you'd like to look at programs they might cover in that particular part of the province?

Mr Richardson: Right now we're trying to develop an interpretive area for Jack Pine Hill. I mentioned it was an old ski hill that went bankrupt. We recovered it first of all as a ski hill and then built a very unique combination with a public school—the first one done in Ontario. Hopefully more will be done. It works extremely well. In that way you have the public school kids right at the hill, through the outdoor interpretive areas. This is expanding as we speak. We're building a new building now, an interpretive centre, hopefully connected to the forestry and the maintaining of our forests in the north and showing how it could be done. They're trying to decide exactly how they're going to do this at this point. I'm quite active in that.

The environment: I did have the background of the conservation authority and I'm still working closely with them. This eight-kilometre trail which is looking down over our city—it's the escarpment to the south—we're trying to maintain it. It's a greenbelt now. The Canadian Forces Base is retiring this area—the stage site—moving it out from underground. So this hill might be surplus. I'm concerned that it doesn't become a housing development instead of a green area, which is why my brother and I built the trail, hopefully keeping them away from taking it over.

The Chair: Thank you very much. I'll go to the official opposition.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Good morning, Mr Richardson. In the background material that we've been provided—I'm sure you've had an opportunity to review it as well. I believe it is the practice that intended appointees receive the same information that members of the committee do. You would know then that when Trillium was restructured in 1998, I believe, in order to place people on the grant review team it was suggested that charities such as United Way or the March of Dimes or individual MPPs might submit names of individuals who would be appropriate community representatives. I was wondering if you might just explain how it is that you've come to be here today. Were you invited to consider membership on this? Did you actually seek out this particular role on your own?

Mr Richardson: It sort of came as one of three. Initially, I was asked by AL McDonald if I would let my name stand for the Ontario Northland Transportation Commission. I would have liked that job. My brother, who passed away in May, was on that board, and the vacancy would have been his. However, I did say yes briefly, for a half an hour, until my son, who is a chartered accountant, a partner in BDO Dunwoody, found out that their company is the accounting firm for the ONTC, which would put me in a rather difficult conflict. So I phoned back and said no.

Subsequently, about two weeks later, the secretary in AL McDonald's office said, "There are two openings." One was on the Cassellholme board of directors. It was a paid position. And there was this one, the Trillium board, unpaid—expenses paid. I did some research, talked to people on both boards, and felt that I've already run my business. Cassellholme was more of the same. I was on the Canadian Automobile Association for 11 years, and that's more or less running a business. This one is more—my volunteerism, as you can tell by my resumé, is my life, so it was right up my alley. I called back and said that I'd let my name stand, and things sort of rushed along from there.

Mrs Dombrowsky: Is there compensation offered, were you to be a member of the ONTC? Would that role have—

Mr Richardson: I know my brother told me he worked for \$2 a year. I'm not sure if that was his choice, because I come from a family that refuses to take money for public works. My grandfather was mayor in 1902, 1903 and 1932 again. I guess they didn't get it right, so 30 years later in the Depression he came back to be mayor again. My father was a political person as well and was a city councillor for 11 years on the Cassellholme and actually developed Cassellholme in the beginning. So there was a connection there, but no way. I think this committee is exactly where I should be.

Mrs Dombrowsky: Good for you. I'm just curious; you've obviously been in contact with people who already serve on Trillium and the kind of work that is considered there. In your area, are you aware of the demand for grants versus the dollars available? Is it a really challenging role? I know there are ridings in the province where, from time to time, there are not a lot of applications to Trillium in particular areas, and then there are other parts of the province where there are significant numbers. Are you aware at all of what the caseload is in—what do we have here?—the Muskoka, Nipissing, Parry Sound and Timiskaming Grant Review Team?

Mr Richardson: Yes, roughly. I asked that question of the chair, Mr Kidd. In our particular area, in Nipissing, the one I'm most familiar with, there is no end to applications to choose from. So it is a matter of trying to decide, as he pointed out, which ones would be best. But they do link together between them when they do a larger area or a larger job beyond \$25,000. The \$25,000 is sort of the limit that the local committee decides upon. When it goes beyond that, they get together. Two people from each of the four areas get together and those eight people become the lead people on larger projects.

Mrs Dombrowsky: Obviously you have made some contacts with some folks on the team and really do understand what the role will involve. Thanks very much for coming today.

Mr Michael Gravelle (Thunder Bay-Superior North): Good morning, Mr Richardson. You mentioned that Mr McDonald was helping you make one of these appointments, the Ontario Northland first, which didn't work out, obviously. I just wanted to ask if you are a

member of Mr McDonald's riding association and a supporter of Mr McDonald.

Mr Richardson: Yes to both questions.

Mr Gravelle: You were helping him out during his campaign, I take it, then?

Mr Richardson: Yes. Actually, it's the very first campaign where I physically went out and did anything. I'm retired, of course, and I was proud to do that. He's a good friend and I respect what he's done in the community, beyond what we're talking of in politics. We have a heritage festival and chamber of commerce that he put on the map. We've worked together on some of these projects that are in front of you. He's been there as well.

1020

Mr Gravelle: So you wanted to support him. I appreciate that, Mr Richardson.

I wanted to ask you, if I may, with the time we have remaining, your thoughts on gambling or gaming in Ontario and its expansion. What are your feelings about it? I'm from Thunder Bay. We have one of the casinos, which I must admit I won't call a charity casino because I don't believe they truly are. I don't think they're even registered as charity casinos. But I wanted to get your thoughts on gaming and gambling. How do you feel about the impact that casinos in particular have on a community? I think it's probably useful for us to get your thoughts on it, presuming you have some thoughts on it.

Mr Richardson: Actually I'm fortunate, not living in an area where the casinos are. The closest major casino to us is Casino Rama. I understand people are bused down there to gamble and come back.

People will gamble. Back in my day, the Irish Sweepstakes was secret gambling and many Canadians bought these things. It has expanded from there. So people will gamble, and in all sorts of ways, as well.

I'm glad it's not on my doorstep. The fallout from gambling—I know there's money coming out of the government to help these people. I'm just pleased that it's not in my backyard.

Mr Gravelle: That's interesting, because it sounds like you wouldn't want it in your backyard.

Mr Richardson: No, I wouldn't.

Mr Gravelle: That's because you think the impact of casinos can be—

Mr Richardson: I don't know the impact, but it's better that it's not there, and then I don't have to worry about it.

Mr Gravelle: Well, that is very interesting.

One of the points that has been made is that the communities that do have the casinos do pay a real price for the actual revenues, as you know, because the revenues don't go directly back to the municipalities that are holding the casinos.

Do you think they should be receiving a better break? I think there's pretty overwhelming evidence now that certainly a lot of other organizations have difficulty raising funds with a casino in the community; that a lot of other fundraising efforts can suffer with a casino, which seems to take a great deal of money from other sources.

Have you given any thought as to whether or not municipalities that are the hosts for these casinos should be receiving a greater portion of the funds from the foundation?

Mr Richardson: No. I think there is money for the fallout and the people and the addicted, and that's separate. But I think it seems more fair that the money is spread out. I know we appreciate the money in the north.

We did have those what they called Klondike casinos that floated into town and out under licence, and they were awful. In our Kiwanis Club we sponsored one, and I went and worked. Just looking at the people it brought in, it was awful. It's good that we got rid of those.

Mr Gravelle: What are your thoughts on the government's rather extraordinary move—this government and the former government, I think, began it in Ontario—in terms of the opening of casinos and gambling to that extent in the province and in terms of it being an extraordinary revenue generator for the province? How do you feel about the fact that we're talking about billions of dollars of revenue that come into the government coffers every year? Do you view that as being an appropriate way, basically, for a government to gain revenue from its citizens? How do you feel about that? I have, perhaps, an indication based on your earlier response. I know it's something that bothers me.

Mr Richardson: I think the details of it escape me. I'm not involved with how the gambling is run. I have no idea what the total revenue is. As far as I know, there's \$100 million set aside by the government at this particular point. I think that figure has been there for a number of years. I don't know if the revenue is increasing.

If I were on the Trillium board, I would hope that perhaps percentage-wise there might be more money to go back into the communities through the Trillium board. I think that's a great idea. But if there are billions of dollars, perhaps more than \$100 million a year—the share for my area, the area of Timiskaming, Nipissing, Muskoka and Parry Sound, is \$1.4 million. That's not a lot of money. We're tied for the smallest area, but we have a huge area in acres, and low population. This is a very good incentive, seed money coming into all sorts of small organizations. It was never there before. It was maybe done through service clubs, but this is a much better way of getting small organizations help. If more money were available, as you said, then I think hopefully the Trillium board—in my future years—would have more money.

The Chair: Mr Martin, please, of the third party.

Mr Tony Martin (Sault Ste Marie): Good morning. It's good to put a face to a name that we heard mentioned in the Legislature not too long ago. I know you're probably aware that your member of Parliament, Mr McDonald, mentioned you in his maiden speech, so you must be somebody of some influence.

Mr Richardson: It pleases me.

Mr Martin: And it should. I guess in any appointments that are made to public bodies in the province, all of us are concerned that these appointments be as non-

partisan as possible and be of a nature that would see everybody who hopes to access the money perhaps that's available—in this instance that's the case—get a fair hearing. Given your past history in skiing and your obvious connection to it, is there anything in particular that you bring to this job that you would like to see more money spent on in North Bay?

Mr Richardson: Actually, not really. The needs vary from year to year and district to district. I had the chance of going to Mattawa park during the campaign, though I'm actually not politically organized. I talked to people there and they are talking about problems that I didn't see. They're not in my community; it's just particularly that community. I feel you have to have an open mind on these things. You take the applications and deal with them at the time you're dealing with them. I've worked in all the fields and I think I have no particular passion for one over the other, if that's what your question was.

Mr Martin: Have you looked through the successful applications over the last while in North Bay? You are reasonably happy with what happened there?

Mr Richardson: Yes, they're done very briefly. As you know, there's a heading and five lines and, if I am reading that far, I would have no objection to any of them. I don't know the details that caused them to make the decision, but they are certainly diverse in our area. In most of them I can see why. I was the founder of more organizations than are here. I realize how hard it is in the beginning. So some money from the Trillium to help them start and get going, as long as it's sustainable—it brings more volunteers out. You put some money in. If you didn't have that seed money, perhaps the volunteers would not be encouraged and we'd all lose more than just that amount of money.

Mr Martin: Going back to the ski hill, there was money given there. It seems to me, from a review of monies that have been given out, that a fair bit of money over the last few years has gone into that development.

Mr Richardson: Yes.

Mr Martin: Is it your hope that maybe even more money might go there?

Mr Richardson: At this point they do need more money. I belonged to a Kiwanis Club, a very small one at the time, only 50 members. We actually raised \$900,000 cash, which was pretty good for a small community. That was the public input that we brought to the table. Certainly, it has been used up at this point. There are other things that should be there, but the fundraising will take place. Right now the focus in North Bay is on a hospital. It is difficult in the community to have more than one major project.

Mr Martin: Is the ski hill a publicly owned or privately owned operation?

Mr Richardson: It's controlled by the North Bay-Mattawa Conservation Authority, the multi-use aspect, and the other half of the property is a public school. The gymnasium has been enlarged from a public school size so it's better for the community—volleyball etc. There is

this multi-use side with the rental operation for snowshoes, snowtubing, skiing and snowboarding etc.

It's unique. It hasn't happened before in Ontario, so the combination of money from the city, a grant to purchase the place in the first place from the bank. They're going ahead with the second stage at this point. The conservation authority has decided to put their offices on the property.

1030

Mr Martin: It's a nice facility. I skied on it actually before it went bankrupt in the mid- to late 1970s. I did some night skiing there and really enjoyed it. It was a nice facility. I'm actually kind of happy to see that it's operating again. It's an attraction that North Bay can use for its own people, as well as perhaps bringing in tourists to the area, I'm sure.

In your decision-making around what grants should be approved and not approved, given your close relationship with Mr McDonald, would it be your intention to seek his advice on what grants should be approved and what shouldn't? Would that be your intention?

Mr Richardson: That would be about the furthest thing from my mind. I'm a pretty independent person. I'm a card-carrying member because I wanted to be there to support his appointment, but I have been a card-carrying member of the Liberal Party in the past. I've also donated to both the Liberal Party and the Conservative Party. I think I've covered the gamut. I'm the one who makes a difference in elections, I guess maybe, but I'm not in someone's pocket.

Mr Martin: But you have, though, been—since 1995, anyway—fairly generous with the Progressive Conservative Party.

Mr Richardson: Yes. We had a Premier from North Bay who, in my opinion, I felt strongly to support financially, but I've also supported Jack Ireland for an MP and J-J Blais prior to Bob Wood.

Mr Martin: The information I have indicates that since 1995 you've donated about \$1,500 to the Ontario Progressive Conservative Party. Would that be correct?

Mr Richardson: I don't know exactly what it would be, but that wouldn't surprise me.

Mr Martin: And another \$2,000 to the Nipissing riding association?

Mr Richardson: That would be probably during Mike Harris's day. I don't know which year.

Mr Martin: OK.

Mr Richardson: It would be an election year, I think.

Mr Martin: My only concern—

Mr Richardson: I also had a business then.

Mr Martin: Yes, so you could afford to do that. My only concern in this—and I recognize your very valuable contributions to the community as a volunteer and the work you've done to recover that ski hill. But I guess the possibility of undue influence by both the governing party and the local member in decisions that would be made around grants that would be given out to different organizations, particularly as we move toward a very

important election within the next year—would my concerns be legitimate in any way?

Mr Richardson: No. Actually, I did ask Stuart Kidd, who's the team chair, if politics ever gets into these things. I'm not sure.

I was actually preparing an application to Trillium for a new idea I had come up with, which is an Olympic trail. We have 19 Olympians, people who have been in the Olympics. I wanted to develop a trail system and rest areas, have benches, and each bench would be dedicated to anyone from Nipissing district who had competed in the Olympics. This is a skateboarding trail to Callander, Ontario. It's nine miles long at this point. I wanted to do that, so I was making an application to Trillium.

But I don't see anything in there that would be political. These are all small grants to hard-working people: volunteers, Legions that are trying to upgrade washrooms, people starting Boy Scout things or camps in Nobel. I don't see where politics would become a concern.

Mr Martin: Have you stickhandled many grant applications through systems over the last five or six years?

Mr Richardson: No, I'm actually very poor at asking for grants. I usually hope there's somebody on my committee who will do that.

Mr Martin: But you've been part of committees that have applied for grants and been successful?

Mr Richardson: Yes, in Jack Pine Hill we asked for a grant, and in history—there was an NODC grant. I was on the committee. I didn't vote asking for the grant but there was a grant given.

The Chair: That concludes your time, Mr Martin.

Thank you very much, Mr Richardson, for being with us today. You may step down, sir.

PAULINE DEMERS

Review of intended appointment, selected by official opposition party: Pauline Demers, intended appointee as member, council of the Ontario College of Teachers.

The Chair: Our next intended appointee is Pauline M.A. Demers. She is the intended appointee as member, council of the Ontario College of Teachers.

Ms Demers, welcome to the committee. You've already heard what we said about initial statements, should you see fit. So you may start and we will begin our questioning next time with the official opposition.

Ms Pauline Demers: Good morning. Bonjour. Monsieur le Président, membres du comité, merci de me donner l'occasion de me présenter devant vous aujourd'hui. It is an honour to be considered for a position as a public member on the council of the Ontario College of Teachers. As requested, I will speak briefly about my background and explain why I am excited about having a chance to serve on this board and why I believe I'm qualified to do so.

I was born in Sturgeon Falls, the fourth of 10 children. I am married, the mother of two sons and the grandmother of the two most gorgeous, smartest little grand-

daughters. My mother always relied on me to help the younger ones with their homework and I also took it upon myself to teach my father how to speak French.

In grade 1, the teacher sat me between two boys who had failed the previous year and told me that I was to help them with their work. Thus the love and the need of teaching was born.

I have never even considered that there could be another career for me. I have taught for over 35 years and really enjoyed it. I was very worried about retiring and I had told everybody about that. For the first two years I volunteered at our local French high school, tutoring students who had difficulties. I also taught three ladies how to read and write, and I'm happy to say that two of them are now able to read simple recipes and write simple notes to their children's teachers. I sure felt a lot of accomplishment there.

Je suis présentement impliquée aussi au sein de ma paroisse et sur l'exécutif des volontaires de l'Hôpital régional de Sudbury, Sudbury Regional Hospital, où je donne une journée de bénévolat par semaine depuis septembre 1996. I believe it is important to be engaged in the activity of my community and I feel I am now ready to get more involved in the provincial state of it.

During the school year our children spend more waking moments, more waking time, in the company of a teacher than they do with their own parents. There is no questioning the valuable lifetime influence that a good, devoted teacher can have on a student. But, alas, the opposite is also true.

1040

Our children are our most precious assets. Every effort must be made to meet their needs and to furnish them with the tools and the knowledge needed for life. They are our future.

I believe I can play a positive role as a public appointee to the Ontario College of Teachers for, on top of my teaching career, I am also bilingual. I look forward to the challenge and the learning that will come with this appointment.

Merci de votre attention. Thank you.

The Chair: Thank you very much. We'll begin our questioning with the official opposition.

Mrs Dombrowsky: Bonjour, Madame Demers. I'm sorry, that's about as much French as you're going to get out of me today, although it was lovely to hear you speak earlier.

Welcome to the committee. I was wondering if you might share with us, because this is the job interview for the appointment, and I think it's a very important appointment—I think that your being here today is also important so that we and the members of the public, because everything we say here is a matter of public record, understand, obviously, why you want to be here and also how you came to be here. So if you could outline how you have come to be an intended appointee for the Ontario College of Teachers.

Ms Demers: I'm not really sure how I got here, to tell you the truth. I remember, when I was talking about

retiring, a colleague of mine said, "Pauline, the Ontario College of Teachers is going to start soon. Why don't you give them your name?" I said, "Why? I'm not going to be a teacher any more," and he said, "You should give your name. Give me a resumé and I'll see about it." That was in 1996 and the college started and I never really thought of it. Then somebody else came and said, "Hey, did you ever give your name?" I said, "Yes, way back." I had done that and I said, "But nothing came out of it." And today, here I am.

Mrs Dombrowsky: Perhaps you could be a little more specific. Did you phone to remind anybody? Did you receive a phone call? From whom might you have received the call?

Ms Demers: No, I did not remind anybody. I got involved with the hospital and gave all my time to the hospital, which is not anything I knew about except as a person who receives treatment, and I had a lot of sickness in my family. So no, I never thought that anything would come out of it until last winter when someone said, and I can't even remember who called me, "Are you still interested?" I said, "Yes, teaching is my profession." It would be better. I would be able to give more than with the hospital.

Mrs Dombrowsky: Was it a call from the Ontario College of Teachers?

Ms Demers: I don't know.

Mrs Dombrowsky: That's fine. The reason I'm interested, because I know many wonderful teachers in my community too, is that I think the role to which you're going to be appointed is a very important one. So it's important for me to understand as well how to direct people I know who, like yourself, have demonstrated a real love and ability within the profession. I thank you very much for trying to assist me there.

I have a question as well—you are familiar with the most recent legislation around teacher testing, and that was Bill 80, the Stability and Excellence in Education Act. I was wondering if you have any comment about the fact that part of your role in the Ontario College of Teachers is to establish and enforce professional and ethical standards and if you would see this legislation in any way conflicting with or getting in the way of the role you might have on the Ontario College of Teachers. And are you aware of any other profession that is regulated with its own college, where there is separate legislation that requires separate testing?

There are really two questions there; I apologize. But I know Mr Gravelle has some questions and I may not get on again. So the first one: do you see a conflict or the possibility that there would be some problem in that you have, on the College of Teachers, a responsibility to establish and enforce professionalism within the teaching profession; now you have the act to deal with. Are you aware of any other self-regulated profession in the province that has a similar kind of double standard, as it were?

Ms Demers: I really don't know about any other profession. I was always only interested in teaching. But

I really approve of the professional learning program that the college wants to implement because I find nowadays, with technology changing so fast, that teachers have to keep up, because children are so bright now.

I was born and raised in Sturgeon Falls. I lived there all my life. I went to the same school from grades 1 to 8. Whatever happened in the world, we didn't know anything about it. But children nowadays are so young when they get on the Internet and they can talk to people across the world. So we teachers—I say "we"; I still consider myself a teacher, I guess—have to be able to be as forward as they are. We can't stay behind and expect to teach them; then they know more than we do.

Mrs Dombrowsky: I agree with you. But do you see that there may be a conflict if in your opinion a teacher did pass the professional standards test but maybe didn't pass the provincial teacher test? Do you see what I'm saying?

Ms Demers: I'm not quite sure how they go about that.

Mrs Dombrowsky: I don't think anyone's going to. That's my point. I'm not aware of any other profession that's self-regulated that is also subject to provincial tests, apart from their professional college regulations.

Anyway, I thank you very much.

Mr Gravelle: Bonjour, Ms Demers. That will be the extent of my French as well, although I am with a French—

Ms Demers: A very French name.

Mr Gravelle: Gravelle, exactly. I'm taking lessons and trying to improve.

Interjection: Good for you.

Mr Gravelle: Thank you. Yes, I am.

Ms Demers: I'll teach you like I taught my dad.

Mr Gravelle: That would be wonderful. I would love that.

Clearly, you are very dedicated to the profession. That comes across so strongly and warmly, may I say, and that's very encouraging.

I do want to pursue, though, a little further the questions that Mrs Dombrowsky was asking about the legislation, and particularly the requirement for recertification every five years and the written qualifying tests. I think you are an ideal person to ask, obviously, as a person who has taught for many years and who is very close to what probably makes a good teacher and perhaps what would be lacking in teachers who aren't doing as well.

It does seem to me as well that it's difficult to define what makes a good teacher by a written test or even by requiring them to recertify. My memories of my favourite teachers—I'm not sure they would have done as well, perhaps, in a written qualifying test. They were people who communicated in a remarkable way, people who seemed to know how to respond to all those in the classroom. So that's been one of my questions about this from the very beginning. I know that a lot of the teachers' unions feel very strongly about this as well. It certainly made sense to me that I don't know how you

can define it by a written qualifying test or even demanding recertification.

I'd like to pursue that a little further with you, because you didn't have to go through that process, and I'm sure you developed as a—I know you did, just based on what you told me. So if I can pursue that with you a bit further, because it strikes me that you might not be as strongly in belief of the need for that or that process working that way.

Ms Demers: I really, honestly believe that the best teachers are not the ones who maybe are the most proficient in writing tests. I believe that to be a good teacher you have to love the children, understand them and care about them. I don't know how you can evaluate that. How can you evaluate, except by very close observation?

Mr Gravelle: Watching them teach.

Ms Demers: Yes. Watching the interaction that they have with the students. You can't test that.

1050

Mr Gravelle: Yet that is what the legislation is demanding. There have been quite a few battles about it. Certainly when Elizabeth Witmer was the Minister of Education there was lots of controversy. I tend to feel the same way, which is not to say there isn't a need to be very clear that teachers are high quality. But that would be my instinct as well. You need to observe, and perhaps professional development days. Anyway, it sounds like to some degree you are changing your position a bit here, if I may say so, because you were saying you were very much in favour of it.

Ms Demers: I'm in favour of many things in the college, but there are maybe some things that we need to discuss.

Mr Gravelle: I hope you'll express that, because I think that's the one thing that you will be able to express when you are a member of the college.

Ms Demers: I think definitely I will be—that is a little bit of a concern of mine. I love the professional learning program. Where you have to take sessions to modernize your thinking, fine. But the written test to see if the teacher is competent, I'm not sure about.

The Chair: Thank you, Mr Gravelle.

Mr Gravelle: That's it? I can't believe it. Wow. I had so many more—

The Chair: I hope you're not questioning the Chair by saying you can't believe it.

Mr Gravelle: Never. I would never do that.

The Chair: Because Mr Martin is now on.

Mr Martin: I must admit right up front to a bit of a bias and a concern. I've got four children at the moment in the system. I've got three kids in high school and one in grade 7. The turmoil that we've experienced for the last few years in the system has affected absolutely everything. They don't seem to be able to settle things down and move forward so that we can get to what I think we should be doing, which is allowing teachers to teach and allowing children to be children and making that move forward.

I have a concern in any appointment to particularly a college that would oversee the activity of teachers and that it not in any way continue to be tainted by this government's approach and ideology where teachers are concerned.

We're perhaps potentially heading, in the winter of next year, into a very difficult strike with teachers. I think, at least at the level of the college and some of what it's leading, we need to make sure that we're appointing people who are balanced, unbiased, and primarily concerned about education.

I wasn't here at the very beginning of the questioning from the Liberal caucus, but do you have a political affiliation?

Ms Demers: Yes, I do. I have to say that right now I am a PC member. I have a card. I am more PC by marriage than anything else. My husband is true blue, and to accompany him to different functions, I joined. But when we lived in the Nipissing riding, I supported Jean-Jacques Blais, who was a colleague of mine; we went to school together. I did support Mr Garland—not my husband, but I did, and he was a little bit upset. But that's OK. I have the right to my own votes.

Mr Martin: Yes, you do. Absolutely. You also donated \$600 to the Nickel Belt Progressive Conservatives?

Ms Demers: In the finance department, I give my husband leeway. He will give in my name and I don't even know, and it doesn't bother me at all. I know some men say, "I wish my wife was like that." He does all the financial; I don't do any financial things at all.

Mr Martin: In my house it's the other way.

Interjection: You're not the only one.

Mr Martin: I just have a concern with a strong political alignment with an agenda that is creating so much havoc, and to be appointing people to overseeing bodies that will perhaps continue that worries me.

To continue on with the line of questioning of my Liberal colleagues in the area of recertification, this is a red flag for many, many teachers because they already recertify. Most of them go back to school in the summer and take courses. They're being tested all the time by their principals and other people in the system. Do you approve of this?

Ms Demers: The teachers that I know who are worried are the middle-aged teachers. I find my nephews and nieces and younger students that I've taught before who are teachers now don't seem to worry about that too much. They seem to take it in stride. Maybe it's the unknown; maybe if I wasn't a teacher right now, because I had never lived this I would be worried too. But the younger ones seem to take it in stride and they're not worried at all, those I've talked to about this.

Mr Martin: That's not what I'm hearing back in my home jurisdiction.

Ms Demers: Did you talk to younger teachers?

Mr Martin: Yes. All of them. They're all very concerned about this and what it might mean.

We as a political party believe that the College of Teachers should be restructured and depoliticized to make it a truly a self-governing body, like the College of Physicians and Surgeons, for example. What do you think about that?

Ms Demers: I really don't know too much about it yet. I was never part of the College of Teachers because I retired before it was implemented. I have to study a lot more before I know more. I cannot make a very spontaneous judgment right now. I have to study it.

Mr Martin: We also believe the College of Teachers should ensure that teachers receive professional development that improves student learning and that actually works, and we believe we should scrap the counter-productive and time-consuming teacher recertification plan. Do you think the actual re-certification of teachers is going to improve student learning?

Ms Demers: I really don't know. I don't. Like I said, I'd have to study the whole question more profoundly before I could make a judgment on that.

Mr Martin: What about mentoring? Are you a big fan of mentoring?

Ms Demers: Definitely. It can make or break a new teacher. If she has a good mentor, like I was lucky enough to have when I started, it really, really helps.

Mr Martin: We think something the College of Teachers could get their teeth into and do very, very well is to generate a provincial standard.

Ms Demers: Because you feel sometimes that you're completely alone, that you're the only one that has certain problems with students. But when you have a colleague or mentor that you can talk to and you find out that other person has the same kind of problem you have, it really makes you feel a lot better as a young teacher.

Mr Martin: Who do you think is in a better position to evaluate teachers: local school boards or the Ministry of Education?

Ms Demers: Local school boards. They should be the ones that could go to the classroom more often than the Ministry of Education. Many times they are there just to pass the laws. They're not in the classroom enough, the school boards. I think they have to be in the classroom a little bit more to see what really is going on.

Mr Martin: Have you ever raised concerns yourself, previous to this appointment, around our school system and teachers and all of that with any bodies?

Ms Demers: Raised questions? There are always questions, but no, I don't think I—

Mr Martin: You've never taken the time to perhaps touch base with your local MPP?

Ms Demers: No, I haven't.

Mr Martin: That's all my questions. Thank you.

The Chair: Next we move to the government caucus.

Mr Wood: Before I ask this question I might identify for you that I'm not a big fan of the teacher re-certification or the compulsory courses. I am a big fan of testing teachers by evaluating the results of their work. I think I know how to do that in the cognitive skills, and I wonder if you would share with us what non-cognitive

skills you think our schools should be imparting and how you think they might be evaluated; by which I mean, how would you evaluate whether or not the students have actually learned the non-cognitive skills that you are going to describe for us that you think should be imparted?

1100

Ms Demers: That's a very hard question to answer.

Mr Wood: Maybe you can start by sharing with us, when you were teaching, what non-cognitive skills did you think were important to impart to the students?

Ms Demers: I'm really not sure what you're asking me.

Mr Wood: OK, what grades was it you taught?

Ms Demers: I have taught from grade 3 to grade 10.

Mr Wood: Let's take grade 3. There were certain cognitive skills in grade 3 that you wanted to impart, over the course of the year, to the students. What other skills were there that you wanted to impart? What else did you want them to learn, other than cognitive skills, in the course of the year they were with you?

Ms Demers: Well, they had to learn to live together in a community, to help one another. The last few years of my teaching was mostly in grades 7 and 8. I used to have a strong student sitting next to a student who had difficulties so that they could help one another. Even the strong student learned from the slower student because when you are teaching somebody something you learn it too. So I thought I would try to help them this way. I don't know if that answers your question or not.

Mr Wood: The second part of my question, of course, is, if you were designing a way of evaluating whether or not the students had learned that over the year—you've identified a couple of non-cognitive skills you thought were important—how would you test the students to see whether or not they had learned those skills at the end of the year?

Ms Demers: You have to, I think, observe them. They can answer a question right and still they don't do it. So a written test does not reflect the way they live.

Mr Wood: Now, if you were to instruct an observer—you are going to tell me to go in and observe a class—what would you to ask me to look for?

Ms Demers: The interaction between the teacher and the students, the interaction between the student and the other students. Is there a lot of noise in the classroom? Is there fear in the children's faces? Are they relaxed? Do they seem to love what they are doing? This is, to me, teaching. Maybe I'm wrong.

Mr Wood: Those are my questions.

Mr Dunlop: A quick question: first of all, I was wondering, how do you really feel about your grandchildren?

Ms Demers: I love them. They are two little girls. I'd never had girls.

Mr Dunlop: I wanted to make sure, as a teacher. Ms Demers, as an MPP, every opportunity I get to go into a school I take full advantage of. I, at one time, wanted to be a teacher myself. Other things happened. I didn't become a teacher. In spite of what you hear about chaos

and this sort of thing—I've visited a lot of schools in the last three and a half years, and last year as the parliamentary assistant to Minister Ecker I was in about 120 schools in the province. What I saw over and over again were classrooms that were well disciplined, had a lot of school spirit. I didn't see fear on children's faces. I saw respect for the teachers and respect for myself when I went in the classroom.

We often went to a grade 4 or 5 class and they'd ask you questions. What probably started out as a half-hour meeting could often turn into an hour and a half or two because the kids had a zillion questions for us.

The Chair: "How much do you make, Mr Dunlop?" Is that what they asked you?

Mr Dunlop: They always ask how much you make.

Ms Demers: That would be the first question.

Interjection.

Mr Dunlop: It's just a little less than a principal. But I wanted to point that out because I kept seeing people who reminded me of you.

My comment to you is—it's not really a question—I congratulate you for considering this position. I think you will make a great member. You're obviously someone who's had a lifetime of learning and you'll learn this job very well. I think you will do an excellent job on the Ontario College of Teachers.

Ms Demers: Thank you very much. I hope I learn quickly.

The Chair: That unfortunately concludes the time, but I want to let you have one more question. Go ahead.

Mr Frank Mazzilli (London-Fanshawe): I just think this is a great appointment, Ms Demers. It's a public appointment and normally it represents consumers on whatever board. I think this is a balance. You have grandchildren who obviously will be through the system, so you will be a consumer, but you also represent the teachers. It's a very new direction in public appointments, and I congratulate you.

Ms Demers: Thank you very much. I hope I will have a nice stay on this council and learn a lot.

The Chair: Thank you very much for being with us. You may step down.

KEVIN ASHE

Review of intended appointment, selected by official opposition party: Kevin Ashe, intended appointee as member, Financial Services Tribunal.

The Chair: Our next intended appointee is Mr Kevin Ashe, intended appointee as member, Financial Services Tribunal.

Welcome to the committee, Mr Ashe, or Kevin as I would know him. I would share with you the fact that you have the right to make an initial statement and then your questions after that. Welcome.

Mr Kevin Ashe: Thank you, sir. I want to take an opportunity to make that statement and thank you for inviting me to appear before this committee with respect

to my intended appointment as a member of the Financial Services Tribunal.

I'd like to take a few minutes to give the committee a few highlights of my resumé from both a professional and employment point of view as well as from a community and political point of view.

First of all from an employment point of view: For the past five and a half years I've been employed by Mosey and Mosey Benefit Plan Consultants. Mosey and Mosey is an Ontario-owned, Ontario-based consulting firm which offers employee benefit consulting advice to over 300 employers across the province. Our expertise is in the public sector and we currently offer consulting advice to over 200 public sector employers, including numerous hospitals, district school boards, municipalities, community care access centres and hydroelectric commissions. I am personally responsible for our clients in eastern Ontario and our school board clients from the whole of Ontario. Our consulting services include advice on benefit plan design and funding, managing care initiatives, collective bargaining support, benefit trends and benchmarking workplace wellness and pension plan design.

Prior to my employment with Mosey and Mosey, I worked for another notable public sector consulting firm for an 11-year period.

Community: I have been and continue to be very involved in my community. I was elected as a school trustee on the Durham Region Roman Catholic Separate School Board in 1985 at the young age of 23 and re-elected three times, in 1988, 1991 and 1994. I served as chair of the board in 1994.

In 1997 I chaired the local education improvement committee in the transition to district boards.

From 1992 to 1997 I served on the board of directors for the Ontario Catholic School Trustees' Association. Of interest to the committee: one of my colleagues on the board at the time was the member from Hastings-Frontenac-Lennox and Addington, Ms Dombrowsky.

I've been a member of the Rotary Club of Whitby Sunrise since 1988.

I currently serve as the first vice-president of the Ajax-Pickering Big Brothers and Sisters organization.

I currently serve as the president of my golf club at Whitevale.

I was appointed to the city of Pickering's committee of adjustment in 1997, reappointed in 2000 and currently serve as its chair.

I was also appointed by Durham regional council to serve as a member of the Durham Regional Police Services Board in 1998 and reappointed in 2001. I currently serve as vice-chair of the board and chair of the board's bargaining team.

I believe my business background, my understanding of group dynamics and my ability to make sound decisions will make my participation on the tribunal of considerable benefit. I am confident that with appropriate training I will be a strong member of this tribunal. I

would be happy to address any questions that your committee may have, sir.

1110

The Chair: We begin our questioning this time with the third party.

Mr Martin: Good morning. That's certainly a very impressive record of public service. A couple of things that you didn't mention in there were that you are the treasurer of the Pickering-Ajax-Uxbridge PC Riding Association—

Mr Ashe: Yes, sir.

Mr Martin: —and that you've donated rather generously to the riding association.

Mr Ashe: I would think that I would be listed as a contributor, yes.

Mr Martin: I guess my concern, particularly in the world that we are living in now, where the security or confidence that people feel in our financial institutions and in investment, particularly pensions—the anxiety out there in the people I talk to around the protection of their pensions in the market as it unfolds is a serious, serious concern. There are some pieces of the work you will do on this board that will have some major ramification there, I would believe. I would hope that your appointment to this would not have any political ties in it at all.

Mr Ashe: I think my business background prepares me for serving on the tribunal. I make no apologies or any secret of my involvement in the partisan aspect of party politics. I'm very proud to be a participant in that but I don't really think it impacts my performance with the tribunal.

Mr Martin: How did you find out about this appointment?

Mr Ashe: I believe the minister's office contacted me about this opportunity.

Mr Martin: Shifting to another gear here, in terms of your background and your professional experience in the issue of pensions and advising primarily employers as opposed to employees, conflict often arises there over various things, one of them being—because we have had a number of them in my own jurisdiction—the question of, when a company is wound down or bought out, whom does the excess, surplus, belong to? What is your position on that?

Mr Ashe: I think the pension act makes some determination of how the process of windup occurs. I am of the opinion that the ones who take risks could often share in the fruits of that risk. Having said that, often collective agreements and agreements in regard to pension determine that to be part of their compensation. If that is the case, I think, on the determination of a surplus in a pension plan, if it is viewed to be total compensation, there certainly can be a sharing of that surplus.

Mr Martin: What if there isn't a collective agreement and you have got a large group of employees who are part of a company that just gets sold and the pension plan then becomes an issue for them and there is nothing? Where do they stand? I mean, they're SOL?

Mr Ashe: No, I don't think so. I think the pension is designed to protect a person's income for a period of time after they expire their working career. If in fact there are sufficient monies and assets to do that, I think the employee is then protected. I think the pension process in this province—certainly there is a strong record as compared to other jurisdictions. I think on balance it is an appropriate way to deal with things.

Mr Martin: There is a better record, I would guess, since Conrad Black—I think it was one of the grocery chains he bought out and scooped the pension fund. Then I believe it was Premier Davis who brought in a bill that was actually named after Mr Black to stop that kind of behaviour. Since then there have been court cases, workers seeing their pension as deferred wages and employers, as you have mentioned, seeing themselves taking a risk. I don't see the risk in that. Help me understand where this is a risk situation and not simply making sure that a person's pension liability is covered and, at the end of the day if the company winds down, why the workers should not have total and complete call on that, if it was set aside for them.

Mr Ashe: There is risk associated with fund performance. A company would be in a defined benefit type of program. The company is compelled to offer a pension despite the fact that the markets are down and the like. So there is risk associated with investment performance. There are also benefits if the market performs to a greater extent. So as I earlier submitted, persons who take risk I think, on balance, have some right to some level of the surplus. I think the pension acts of Ontario take into account those realities.

Mr Martin: What's your knowledge of familiarity with the co-op sector of the province that this act will cover too?

Mr Ashe: Fairly limited. My involvement has been more to do with insurance, more to do with employee benefits and, to a lesser degree, pension, but certainly I will learn much about it in the early months of my involvement.

Mr Martin: Do you see a role for credit unions and co-op movements in the province as we move forward?

Mr Ashe: Absolutely. I think they are a valuable piece of the puzzle, one that has in the past been a very important part of financial services and, I would think, something that would continue in the future.

Mr Martin: You had indicated initially that you didn't have a whole lot of experience with the co-op sector. Are there any red flags there for you of any sort?

Mr Ashe: I'm not aware of any, sir.

Mr Martin: To jump again to the bigger question, any thoughts or suggestions as to how we deal with some of the uncertainty that is out there right now in terms of trying to create a more confident environment where investment is concerned, and perhaps how your being part of this organization might be helpful to that end?

Mr Ashe: I truly don't believe it's the tribunal's responsibility to undertake that initiative, but you have asked me how and why, and I think it is a valuable com-

ponent for employers as well as employees to educate themselves in regard to fund management, risk, how the plan operates—those type of things. So I hope that answers the question.

Mr Martin: You may want to inform yourself, or concern yourself, because in the May 2000 budget the Minister of Finance announced that there was an intention to merge the Ontario Securities Commission with the Financial Services Commission, which would then bring you into that other realm. Does that concern you? Is it something that you would have something to offer in, when that happens? What contribution do you think you will be able to make there?

Mr Ashe: I think you reference the comment by the superintendent, who talked about the merger and praised the merger. Certainly the comment assigned to the gentleman in question talks about the appropriateness of that.

Certainly I am a great supporter of efficient government. I also am a great supporter of higher levels of accountability. I think the merger of those two organizations does both.

1120

Mr Martin: And you think it's a good idea?

Mr Ashe: Experts in the field suggest it's a positive, and I don't differ from that perspective.

Mr Martin: Did you participate in either of the consultations that happened around that?

Mr Ashe: No, sir.

The Chair: Thank you very much, Mr Martin, and we move to the government caucus.

Mr Wood: We'll waive our time.

The Chair: The government caucus has waived its time so we go to the official opposition.

Mrs Dombrowsky: Good morning, Mr Ashe. I think if people were to take your curriculum vitae and my curriculum vitae and put them side by side they would see that our paths have had occasion to cross in the past. They have been all very positive encounters. So it's very good to see you here this morning.

With regard to your intended appointment to the Financial Services Tribunal—and I am familiar with the nature of your work; you probably have had the same background that we have had—you would know that it has been presented to us that there are really chiefly—first of all, maybe I should ask you this. Given the nature of the work that you do, the company that you work with, is it possible that some of the businesses, corporations or clients that you deal with would also come to the tribunal?

Mr Ashe: I guess it's remotely possible. Having said that, most of the clients that I am personally responsible for, as well as the firm, are public sector employers whose pension is certainly differently regulated than private sector plans. I don't envision any crossover or conflict, but certainly there are ways to deal with that. In looking at the other membership on the tribunal, it lists a number of lawyers and actuaries who have association with law firms and insurance companies and the like, so

I'm sure there has been that issue before and it was dealt with in an appropriate manner. I don't envision that being a problem, though.

Mrs Dombrowsky: So you don't see that corporations that your company would provide services for or contract services from might, from time to time, be brought to the tribunal?

Mr Ashe: I don't envision that occurring. Not to suggest it can't happen, but I don't envision it happening.

Mrs Dombrowsky: I wanted to ask you a question about the first issue, financial hardship cases under the Pension Benefits Act. It describes particular situations around LIRAs and so on. I can say in my constituency office this is an issue that has come to me, where folks have found themselves in some difficulty. They are also unable to access some of their resources because it has been locked in.

I read further about the fact that when there has been an appeal to the tribunal, I think it is 21 out of 24 appeals were turned down, where the folks who felt that they had extenuating circumstances and should have been able to access those monies that had been set away were not able to. So I have some sympathy for individuals. The situations that I am familiar with had to do with medical situations. I guess what I find a little bit disturbing is that there is a section, as you know, in the regulations that defines financial hardship to include "excessive" medical expenses and a disability requiring "expensive" medical treatment. Those are such subjective terms. What one individual might consider expensive or excessive may not be considered that by another.

Do you have any comment on that at all? That is an area that did pique my curiosity. It's an area that I've had folks come to my office and actually talk about. Would you maybe just comment about the LIRAs and kinds of situations that you think actually should qualify for an exemption to access those funds?

Mr Ashe: You are referencing the document that Mr Pond put together. It makes no mention of the amount of approvals that the superintendent had given to release funds. I think the fundamental issue is, what are pension monies for? They're for just that—pension monies.

I share with you the concern, and certainly there's disappointment that some people have to access monies from the pension for medical reasons or reasons of disability, but it appears that the tribunal has supported the superintendent's rules and decisions. It appears that in only one case the threshold by the tribunal was different from that established by the superintendent.

On balance, it appears that the guidelines the superintendent has invoked seem to work. If they've withstood the test on 19 of 20 occasions, I think that says something about the guidelines, how they're being dealt with by the superintendent and if they're appropriate or not. I'm not sure that answers your question.

Mrs Dombrowsky: I appreciate your perspective. Thanks very much.

Going to the table of tribunal members, I was just curious, how many of these members would you know, either professionally or personally?

Mr Ashe: I've spoken on the phone with the chair. I know by name two or three of the people because of their involvement in my type of business, but I don't know any of them personally.

Mrs Dombrowsky: My final question—and I think maybe my colleague has a couple—is with regard to the Ontario Securities Commission. You know that we continue to wait and see what action this government might take. We know what it has talked about but it really hasn't followed through on anything. There has been a proposal in the public forum about a national securities commission. I was just wondering if you might comment. What is your opinion on a national securities commission?

Mr Ashe: I would think that a national securities commission would be of benefit. Ontario often has much higher regulations and expectations, and if Ontario was the lead for a number of these initiatives, one would hope that other jurisdictions across the country would follow suit in regard to Ontario, which certainly is recognized as being the cream of the crop in terms of—

Mrs Dombrowsky: A financial leader.

Mr Ashe: Yes. So I believe there would be some benefit in having national guidelines. If that's done through a national commission, I think there might be some benefit in that.

Mr Gravelle: Good morning, Mr Ashe. I wanted to ask you about the insurance industry. I know there's a very specific role that the tribunal plays. A great concern that I have, and I think actually all members and the government should have, is the developing crisis, as I call it, and I think it is, in terms of the increase in insurance costs to consumers, to long-haul truck drivers, to operators of a variety of businesses, which I think is going to be a real threat even to our economy because I think it's driving many people into a situation where they can't keep going.

The Financial Services Commission approves the increase requests put through by the companies. I would love to have your thoughts on that, as to what role you think it needs to play. I must admit, I made some effort to get the various senior ministers involved in this process to try and deal with this. There certainly seems to be a link in terms of the role you'll be playing and I'd love your thoughts on it. First of all, how familiar are you with what I'm speaking about, and do you think there's a role that the Financial Services Commission can play? I get the impression that they tend to approve the requests that go through and I've got lots of reasons why I think they perhaps shouldn't be doing it so automatically. I'd love your thoughts on it.

Mr Ashe: You're quite correct in suggesting that insurance is going up at percentages far greater than inflation, in all realms of insurance: liability, accident. In my expertise, employee benefits, it's much greater than we normally see. September 11 had something to do with that in terms of liability. The health care system has something to do with it, significantly in regard to employee benefits. But I think on balance the system we

have that has a free market with regulatory oversight is a good system that does bring some protection to consumers. I think it's an area that will have greater and greater importance over the coming years as costs continue to get bigger and bigger for consumers, employers, governments and the like.

1130

Mr Gravelle: To some degree that's part of the response I got from the government too, in terms of the marketplace. But my concerns, or at least my thoughts are, that perhaps we need to look more closely at the industry itself. September 11 is commonly used as a reason for things happening. There are others who say it's investment decisions that weren't particularly good ones and why should the consumers be paying? At other times, it seems to be certain sectors of the industries that insurance is covering. They're making the assumption that every—even if a driver has a good record, they're going to be put in a category. I do really see this as being an enormous problem, not just in my riding or in northern Ontario but obviously all across the province, which you're confirming.

Do you think it's a good idea for us to be perhaps examining or bringing in the insurance company executives and looking at things more closely to see indeed whether or not there is some way we can actually manage to help out those people who are getting these increases, and at the same time obviously not put the insurance companies themselves in great peril?

Mr Ashe: I think a dialogue between insurance companies and government and regulatory authorities would be of benefit.

Mr Gravelle: That's very delicately phrased.

Mr Ashe: I think the system, on balance, does work appropriately. The free market is an interesting way to price things. Again, on balance, I think the system that we have in Ontario is certainly looked toward as one of the better-managed systems, compared to other jurisdictions. I think it's a tinkering rather than an overhaul that might be required.

The Chair: That's all the time you have, Mr Gravelle. I always seem to be cutting you off.

Mr Gravelle: That's quite all right.

The Chair: That concludes your time before the committee, Mr Ashe. Thank you very much for being with us today.

BEVERLEY HAMMOND

Review of intended appointment, selected by official opposition party: Beverley A.K. Hammond, intended appointee as member, Liquor Control Board of Ontario.

The Chair: Our next intended appointee is Beverley A.K. Hammond, who is an intended appointee as member, Liquor Control Board of Ontario.

Welcome to the committee, Ms Hammond. I think you know the procedure. You have an opportunity to make an initial statement, and then there will be questions, which will begin with the government caucus.

Ms Beverley Hammond: Thank you very much for having me here. As some of you may know, this is a bit of a stroll down memory lane for me. About eight years ago now, I was the special assistant to the House leader in charge of committees; in fact, that was my responsibility. So I bring with me today a great deal of respect and a little bit of sentimentality as well to the affair, although I have to admit I've never seen it from this particular vantage point. It's a little more nerve-racking from this end.

It's an honour to be considered for a position on the board of the LCBO, and I believe I have a contribution to make to that organization. So I appreciate this unique opportunity to very briefly talk to you about why and what I think that contribution is.

You see, most people in this place, of course, know me in the context of my government staffing work: a few years in Ottawa, a few years here at Queen's Park, and through some related political activity. While that experience has been challenging, interesting and chock full of incredible learning for me, it really is a small slice of my life, especially since leaving Queen's Park some years ago.

Every day, day in and day out, I run a company called Veritas Communications. Veritas is a Toronto-based investor relations, public relations and government relations agency with national reach. We're an entrepreneurial partner of Maxxcom, which is the largest full-service marketing communications group in Canada, and is traded on the Toronto Stock Exchange. We began 10 years ago as the first health care, public relations and government relations company in the country. We remain a leader in that field, but we're growing in other areas.

I originally joined Veritas to launch the company's business communications division. Since that time, we've built the new division from the ground up, restructured and rebranded the agency, expanded our capabilities, diversified our roster of clients into new sectors and implemented business processes around things like employee capacity, planning, budgeting and cost containment to increase efficiencies and improve operations all across the agency.

Today, we provide a long list of clients with counsel and strategic advice on everything from product launches, media relations and media coaching, to government relations, issues management, employee communications, corporate governance, investor and shareholder relations and stakeholder relations.

In my work at Veritas and in previous agencies, including Grey Canada and Communiqué public relations, where I began as managing director before becoming president, I have not only had the opportunity to build our business but also to work with a number of public, private and not-for-profit organizations across the country and across a broad range of sectors to help them build theirs; sectors like the retail sector, the insurance sector, the biotech sector, the health care sector, and I've worked with post-secondary institutions, associations, charities and financial institutions, just to name a few.

In each case, it's been critical to understand the unique business and the competitive and regulatory environment in which that business or organization operates and then to work to drive value for that organization within that context with all and varied audiences.

Likewise, the boards on which I sit also have varied focuses and challenges that are specific to each of them individually. Food Buddies, for example, is a Toronto charity that provides nutrition and nutrition education for underprivileged children in and around this city. The national board of Special Olympics Canada is an organization committed to enriching the lives of Canadians with a mental disability through sport. Then there is the advisory committee for the University of Toronto chair in nursing human resources. And proudly, I also chair the advisory board of Hammond Transportation, the family business my father started 60 years ago.

The organizations that I deal with every day have different needs and different opportunities, but they are all held accountable to either their customers, their shareholders, their members and often to the public. Arguably, this has never been more apparent and perhaps more important than today, whether in a private company, a public company or, of course, a crown corporation.

So as an investor relations adviser, as strategic counsel to many senior executives across the country and as a board member, a role I play is to understand and promote the principles of good corporate governance, to help increase shareholder value and advise those I work with on the importance of being ever-cognizant of their obligations to that end.

The LCBO, as a government agency, obviously has the same responsibility, and to a variety of masters—to government, to regulators, to its shareholders and, of course, to its captive customer base. That means the organization must strive to achieve and maintain an important balance. I believe that my understanding of the marketplace, the markets and the consumer through the work I do with my clients, my diverse board activity, my role as a proponent of increased shareholder value and strong corporate governance principles, my federal and provincial government experience, my extensive marketing communications work and my experience in building, changing and running businesses combine to afford me a unique breadth and depth of skills that will be beneficial to the LCBO as it seeks to continue that balance in today's environment and beyond. But that balance extends outside the area of the fiduciary duties that stem from how the company is run to the important social duties that stem from what the company sells.

I have to say that given what I've experienced and what I've seen, I believe the LCBO is a benchmark for social responsibility. The investment it makes in programs that encourage the responsible use of alcohol and the ongoing fundraising activity it undertakes is impressive, to say the least, and absolutely necessary in today's society. As an aunt and a sister, I appreciate that. As a board member of the LCBO, I would be committed

to actively promoting continued and increased social responsibility programs, to setting an example and continually raising the bar for good corporate governance, to applying the business practices that I apply every day to the issues that the board faces, and to ensuring that the interests of the shareholders, the people of Ontario, are paramount in every decision the board makes.

I look forward to the opportunity to keep those commitments, and I look forward to your questions. Thank you.

1140

The Chair: Thank you very much. We commence our questioning with the government caucus.

Mr Dunlop: Thanks, Ms Hammond, for attending here today.

I had a couple of questions, and you touched on them at the end, on the social responsibility end, and that's to do with drinking and driving. I know the LCBO has had a number of advertising campaigns with MADD Canada. That's really good to see that happen. I congratulate Mr Brandt and his leadership with this organization.

The two questions I had are based around recycling and around the agency stores. I have to tell you right off the bat, I'm a strong believer in the agency store program for the province. I've seen the last announcement of, I believe, around 80 stores that Minister Sterling announced last year. I've had about three of them open in my riding. They've been huge successes because they've helped keep little communities strong. I think, as a member of the government, we want to do whatever we can to help keep rural Ontario as strong as possible, and these have helped these particular communities a lot. So I'd like to hear your comments on that.

Second of all, if you could comment on the Waste Diversion Organization. I'm a believer also that we have to get LCBO at some point to do what the Beer Store has done, and that's getting as much reuse as possible in the system. Now, you may not have been prepared to answer a question on that, but at least I would like to see the LCBO go in that direction, as close as possible to 100% reuse at some time in the future for the sake of our landfill sites. As a member of that board, I hope that you would promote that on the board. I know you will probably come into some opposition, but I'd like to hear your comments on those two issues, if you could talk about them.

Ms Hammond: Sure. First on the agency stores: I actually spend a lot of time in northern Ontario. I'm from rural Ontario, places like Mindemoya on Manitoulin Island, where my uncle actually ran the general store and his brother-in-law ran the grocery store that had the agency store. So I'm very, very aware and very supportive of what that allows small communities, that don't otherwise have access, to do. It's also obviously a great customer service initiative on the part of the LCBO.

I think it does a couple of other things too. It also quiets, in a sense, all the noise around beer and wine in corner stores, because it actually allows accessibility. That's not the only thing that quiets that argument,

obviously, but it allows accessibility, and in a controlled environment, which I think is really, really important. In addition to that, it also gives people who run those stores—I think it actually helps their business a bit. You know, somebody pops into the agency store and decides they need a flat of eggs or something else. So I'm all for things that actually contribute to helping people build their business.

I am a big supporter of agency stores. I was pleased to see that the last minister did introduce the franchise stores—or whatever; I believe that's what they're called—in other parts of Ontario. Again, while I've spent a lot of time in northern Ontario, I also know there's lots of Ontario that's rural that isn't in the north, as you know, obviously, given your riding, and many of us here. So I believe it's important that it be expanded into other areas.

As for the blue box program, I think it's incumbent upon all organizations right now to look at ways to increase our responsible actions toward the environment.

I was with a gentleman by the name of Robert Schad yesterday. I did a little tour of his business. He was telling me that they recycle 95% of everything they do in that place, and that, to me, is just incredible.

I think there are lots of elements to the argument, certainly, but I am a believer in recognizing our responsibility to the environment. I know the LCBO, although I don't know the details of it, does do some environmental and recycling activity. I think it's important that we look at all opportunities to improve the environment, for today and tomorrow.

The Chair: I think I can sneak one question in for Mr Mazzilli.

Mr Mazzilli: Thank you very much, and thank you for coming today.

I certainly have a comment. I think the LCBO has come a long way from a number of years ago, but when we look at some of the capital costs that have gone into the LCBO recently, some do concern me because of the time it will take to get some of that capital cost back.

When I look at the LCBO in large urban centres, obviously they own some locations and they have been there for a long time. Is there a move to move those locations to newer areas of the city?

Ms Hammond: Actually, I can't speak to that, not having seen the business plan or a lot of the details of capital investments projected or even in the last little while. I would say, though, that I think I agree with you that the LCBO has come a long way. As I indicated, there's quite a balance that organization actually has to achieve, and that's ensuring customer service, ensuring that they're giving customers what they want in the environment within which they want to shop, and at the same time ensuring that they're providing government with the dividend and increasing that dividend as much as possible and making the right investments. That's just good business, period. So, in short, I don't have the information to answer your question.

Mr Mazzilli: Would you be in favour of the corporation owning its property or its assets, or leasing, com-

pared to, say, other chains like Shoppers Drug Mart and Big V, who choose not to own the real estate because it ties up a lot of capital in the operation?

Ms Hammond: I think I'd have to have a look at that. It really does depend on the sector, when you look at a real estate investment like that, and whether it's worthwhile. So, again, I don't think I could comment in great detail.

Mr Mazzilli: But these would all be things you would look at as a board member.

Ms Hammond: Absolutely. I actually look forward to it. I love that stuff.

The Chair: Thank you very much. We will now proceed to the official opposition.

Mr Gravelle: Good morning, Ms Hammond. I wanted just to get some more details in terms of your resumé and your background. I want to get it clear in terms of when you started at Veritas. A little bit of a rundown of which ministers you worked for would be interesting to everybody, I think, and I've got a pretty good sense of who they were, but when you actually left because you said you were involved, as it turns out, in the 2002 budget writing as well. Was that as a staffer or was it as somebody who was hired to do that? If you can give us a bit of a rundown in terms of your background, particularly since 1995.

Ms Hammond: I wasn't actually involved in the 2002 budget.

Mr Gravelle: It says that here.

Ms Hammond: It does? Wow, I'm honoured.

Mr Gravelle: It didn't sound like you would have been, based on what you've said, so if you could go over your work background and history, that would be great.

Ms Hammond: Federally I worked for the Minister for Small Business and Tourism, with responsibility for northern Ontario.

Mr Gravelle: Which minister was that?

Ms Hammond: The Honourable Tom Hockin. He was also the Minister for Science and International Trade in my time with him. So I had a lot of experience on the bilateral trade file, which was mine for a short period of time at the end of my tenure there. Then, in Ontario I worked for the Deputy Premier, the House leader and Minister of Finance. I left Queen's Park at the end of 1997. January 1998 I believe I started—

Mr Gravelle: Are there any other federal ministries or parties that you've worked for?

Ms Hammond: No.

Mr Gravelle: In terms of the background, there are a number of interesting questions that I think relate to this. It seems to me that one of the reasons the LCBO might want to have your expertise is precisely that with your marketing experience you've certainly focused on the social responsibility aspect. It seems to me that would be one of the real attractions you would have for them, your marketing experience in terms of that. It also seems to me that you would have some interesting insight into even what the government's moves were. We all know that one of the potential options for the government was to

sell, to privatize, LCBO. I'm wondering what your position is on that because you were around at a time when that was one of the expectations, at least, that Mr Harris was going to go with. So I'd love to have your thoughts on that.

Ms Hammond: Of late, I actually haven't heard a lot of stuff about that out there, so I'm not aware that it's actually on the government's agenda currently. But I will say the important thing, again, in all of my experience with public companies and private companies and even organizations, the critical thing is to do its best for the shareholder. If there's not the business case to do it, it shouldn't be done. So without having seen anything or looked at anything, I'm not really in a position to comment on it except to say that I believe in the principle of increasing shareholder value. Whatever is the best way to do that, I will support.

1150

Mr Gravelle: But you were around at a time when there was at least a potential push to sell it off, which means you would have been familiar with the case for doing that. Do you have your own opinion on whether that's a good or bad idea? Certainly the revenues coming into the province are pretty substantial.

Ms Hammond: As I indicated, without seeing a business case for it, without looking at a prospectus or looking at some of the really critical details of that—I'm in the investor relations business. I don't just comment on things without actually knowing the details.

Mr Gravelle: Tell me, if you would, how this appointment came about. The LCBO is not a large board, in many ways. I think there are only seven members on it, so I'm curious. Were you approached? Were you asked to do it? How did the appointment happen?

Ms Hammond: A couple of years ago I worked at Communiqué and we in fact did a bunch of campaigns with MADD and with the LCBO. We did the billboard campaign, you may recall, with the actual crumpled vehicles that were on billboards around the Toronto area and some really interesting and impactful social responsibility marketing with the organization. I was always really impressed with the LCBO. I've also watched as it has evolved. Of course, it has always interested me as a communications person. So it was probably a couple of years ago that I made a comment, I can't remember to whom now, "Gee, that would be a really interesting place to be. That would be a really fascinating organization to be involved with." It was probably about a month ago or so that I had a call from the secretariat suggesting to me that my name had been put forward and asking me if I would accept it, so I gladly did.

Mr Gravelle: I guess this means, though, that you won't be able to do work for the LCBO.

Ms Hammond: No, I will not. That's right. My current agency does not.

Mr Gravelle: I'm curious also about your thoughts on some of the decisions the LCBO makes, particularly in terms of the delisting policy in terms of stocking their shelves. I know there have been some concerns expressed

by the Ontario winery industry about the decisions. I think there have been a substantial number of items that have been delisted because they haven't met the sales quota. I think the Ontario wineries are thinking that perhaps it's too stringent and there isn't enough encouragement in terms of time given. Are you familiar with the delisting policy? If so, what do you think? Do you think it's the responsibility of the LCBO to promote Ontario products? I know there have been other ways that has been done, but I'm curious as to what your thoughts are in terms of the LCBO's role in that.

Ms Hammond: I'm not intimately familiar with the delisting policy, so I'll qualify my comments with that. I am familiar with the concept of shelf space and of product sale and moving product and all the stuff that goes along with it. To the Ontario wine industry, though, I will say that one of the things I've been really impressed with lately is the promotion of Ontario wines in LCBO stores. I was in Bracebridge for my nephew's wedding this weekend and I was at the LCBO store—surprise, surprise. There was a really impressive "Taste the Quality," I think it was, Ontario wine promotion all through the store and at every cash register. You couldn't get away from it if you wanted to. I was very impressed with that. There are certainly members here who have a really important interest in promoting wines. I would offer that the current minister does as well for lots of reasons, not the least of which is where he hails from. So I think there's a lot happening to promote Ontario wines.

I would also say that I think it's about more than just promoting them in LCBO stores here. Some of our wines are really competitive internationally. I believe we should be doing more to promote them elsewhere. I think it's up to people in this room and up to the federal government and up to the Wine Council of Ontario and others to ensure that our wines are being promoted outside of Ontario and outside of Canada as well.

Mr Gravelle: Do you think it's useful to look at the delisting policy to some degree as well, whether there should be a greater effort made to hold some of the products and give an opportunity for those products to sell? I appreciate that the marketing is in fact a major element in that, but there are obviously these quotas that must be met and perhaps they are adjusted according to the price of the wine and everything else. It does just seem to me that the LCBO should probably—I'm not suggesting that they're not—be supporting it. But the delisting policy itself is one that I think you might want to look at when you are put in your position. But it's obviously all about promoting Ontario wines in that sense.

Ms Hammond: Certainly I'll have to look at it because, as a member of the board, that's the kind of thing I'll be asked to involve myself in as far as discussion and strategic direction go for the organization, so I will be looking at that.

Mr Gravelle: I'm from northern Ontario myself and I'm certainly very aware of agency stores, which I think are important set-ups. I'm interested of course in the franchise set-up in southern Ontario, which is, in essence,

an agency store extension or concept. Are you aware of how the decisions are made related to those who are going to be getting that particular franchise store? What is the process that they go through in order to get approved?

Ms Hammond: No, I don't know the actual process. What I do know is that there are some terms: distance to another LCBO store or outlet is one thing, certainly. I think there's a rural element. There have to be certain things like employees of a certain age, and staff have to be trained, and things like that. So I know that those things are in place.

I don't know how those sites are selected and, to be honest, I don't know where all of them are, except for the ones that I have the pleasure of utilizing from time to time.

Mr Gravelle: Thank you very much.

The Chair: Thank you very much, Mr Gravelle. Your time has expired. You're right on time.

Mr Gravelle: Excellent. I was feeling it.

The Chair: We will now move to Mr Martin of the third party.

Mr Martin: I'm going to focus on the concern that's out there regarding the possible privatization of the LCBO, and the anxiety and fear in some places that that may in fact be just in the offing and the possible role you might play in that, given your affiliation with the now Premier, having worked for him at one point and then been active in his campaign for leadership. What's your political thinking on this? Is it the direction we should be taking? Should we be going there?

Ms Hammond: My thinking on it is business thinking. As I indicated, if there is a business case for it, and if it's in the best interests of the shareholders, which we all know in this situation are the people of this province, then it may be the way to go. But without having any information or details on that, I'm afraid I can't—

Mr Martin: But given the spoken great interest of the political party that you belong to and work for, and the fact that it's easy to make a business case for almost anything, actually—

Ms Hammond: Is it? That's good to know.

Mr Wayne Wettlaufer (Kitchener Centre): You don't know enough about business.

Mr Martin: I have people in my office every other day making business cases about all kinds of things—statistics and things like that. If you want to make a business case, if you want to build a business case and you have the political aspiration to do that, isn't that something that could be done?

Ms Hammond: I guess we should maybe just clarify that sometimes there are business cases, and then there are good business cases, business cases that actually support the interests of the shareholder. That, in my view, is the best business case there is. In a situation like this, I think you do, again, need to look at the circumstances.

As far as I know, though, I haven't heard anything lately in this government's comments or in the agenda that that's actually on the books, so I don't think it has been talked about as much lately at all.

Mr Martin: There's the fear out there that it's privatization through the back door, with the agency stores and the franchising of different parts of the operation, that perhaps that's where we're heading, not unlike what's happening in the health care sector, where we're beginning to see privatization through stealth and setting up different operations that may not present as privatization very publicly and obviously but in fact are. So there's that fear out there that that's where we're going and that we're beginning to open the back door to this. Perhaps bringing somebody like you in, with your obvious expertise and background, is just another indication that this is becoming an option again.

1200

Ms Hammond: A couple of things. Just to the agency stores comment, the agency store, in my view—as you would know; I'm sure you have a few in your riding as well—are just a way to actually increase access and service rural and northern communities in Ontario, which I think is incumbent upon an organization like the LCBO to do. Having said that, I would hope that my experience and my expertise, as you put it, would actually bring some comfort to people who want to ensure that the best decision is made for the LCBO and that the decision is made in the best interests of shareholders because, again, that's what I do for a living and for all of my clients right now.

Mr Martin: We've heard and we hear a lot about that kind of thinking, that what is done at the corporate level is always in the interests of the shareholders, but those of us who perhaps placed more confidence than maybe we should have in that whole sector of society have been very bitterly disappointed in the last couple of years as big corporations, which trotted out the business case for certain things happening, and then a year or two later the whole thing collapsed—Nortel, Enron and those kinds of things. I guess I wouldn't want to see a business case made for the LCBO to go private only to find out a year or two later, as we've seen with other big corporations where business cases have been made, that the rock turns to sand and the whole thing then becomes a liability and not the very positive and exciting and lucrative operation that the LCBO is now. That's my fear. I guess with that in mind, does that cause you any concern?

Ms Hammond: Overall, the issue of corporate governance in this country certainly is a concern of mine, and I spend a lot of time working with people to try and improve the levels of corporate governance. There are some folks who are very good and very responsible senior executives in companies all across this country. There are others we have seen who are alleged to be a little less responsible, perhaps. That's always a concern. It should be a concern for everybody—investors, shareholders, everybody.

So that's a concern. I don't have that concern as far as the LCBO goes at this time. From what I see, it's a well-governed, well-run organization.

Mr Martin: But what you're saying here this morning is that if a business case can be built to support privatizing, then you'd be OK with that.

Ms Hammond: Sorry, can you repeat that?

Mr Martin: What you said a few minutes ago was that if a strong business case could be made for the privatization of the LCBO, you'd be OK with looking at that.

Ms Hammond: What I said was any decision I made on the board of the LCBO will ensure that the interests of the shareholders and the people of this province are paramount.

Mr Martin: And you didn't say that if a business case could be made for the privatizing of the LCBO, you'd be OK with that?

Ms Hammond: I think what I said was that a good business case needs to be made in any decision that a board makes for an organization like the LCBO. Again, the most important thing is the interests of the shareholders, who are the people that live in this province.

Mr Martin: So you're not going into this job with the intent of trying to make a good business case for the privatization of the LCBO?

Ms Hammond: No, I'm not. I'm going into this job to ensure that whatever the LCBO does this year and next year and 10 years from now, hopefully, is the right thing for the people and for the government and in the regulatory environment.

Mr Martin: OK. Thank you.

The Chair: Does that complete your questioning?

Mr Martin: Yes.

The Chair: Thank you, Ms Hammond. You may step down.

Ms Hammond: Thank you.

The Chair: We will now move to the appointments review voting, and I'll accept any motions that might come forward.

Mr Wood: I move concurrence re Mr Richardson.

The Chair: Mr Wood has moved concurrence in the intended appointment of Mr John E. Richardson as member, Muskoka, Nipissing, Parry Sound and Timiskaming Grant Review Team. Any comment or discussion?

Mr Martin: I just have some concern that these bodies that hand out money on behalf of the government, particularly as we move toward an election, stay as non-partisan as possible. In this instance, we obviously don't have a person who is non-partisan, so I'll be voting against this appointment.

The Chair: Any other comment from anyone on the committee? If not, I will call the vote.

All in favour? Opposed? The motion is carried.

Mr Wood: I move concurrence re Mrs Demers.

The Chair: Mr Wood has moved concurrence in the intended appointment of Pauline M.A. Demers as a member of the Council of the Ontario College of Teachers. Any discussion?

Mr Martin: Again, in the interest of the whole of the education system, and some of the havoc that's been created over the last few years and the anxiety that's out there, I think it's important that we find ways to turn down the heat and bring people into these organizations who have a balanced approach and an interest in better education, as opposed to continuing to take money out,

hammer teachers and drive the agenda of the present government. In this instance, again we have somebody who is obviously active—and was not afraid to share it with us—in the riding association and has contributed to the party. So in this instance, I won't be voting for her.

The Chair: Any further discussion?

Mr Gravelle: I must admit I appreciate what Mr Martin is saying, but I don't share his concern related to Ms Demers. I was impressed by the fact that she has obviously an extraordinary background in the teaching profession and is one who is very caring. She was concerned about some of the same things related to the recertification of teachers. I thought she understood that process well, and I think she will actually be a very good addition to the board.

The Chair: Any further discussion?

Mr Wettlaufer: I don't understand the qualifications of the member opposite, Mr Martin. Just because an individual has some political alliance doesn't mean that individual should be disqualified if that individual obviously has merits. I think we know from the experience in their government, where there were all kinds of appointments made that had absolutely no merit, that his objections are frivolous.

Interjection: They can't remember that.

The Chair: Any further discussion? If not, I'll call the vote.

All in favour? Opposed? The motion is carried.

Mr Wood: I move concurrence re Mr Ashe.

The Chair: Mr Wood has moved concurrence in the intended appointment of Kevin Ashe as a member, Financial Services Tribunal. Any discussion? If not, I'll call the vote. All in favour? Opposed? Motion carried.

Mr Wood: I move concurrence re Ms Hammond.

The Chair: Mr Wood has moved concurrence in the intended appointment of Beverley A.K. Hammond as a member, Liquor Control Board of Ontario. Discussion?

Mr Martin: I have concerns—and it's not just me—with regard to the possible privatization of this organization. Given the very good background of this intended appointee in the private sector, I think probably her ability to make a business case to privatize the Liquor Control Board and her connection with the now-Premier and previous Treasurer of the province—I have a concern that that may be where we're heading and that this appointment may take us more quickly down that road. So I'll be voting against this appointment.

The Chair: Any further comment?

Mr Dunlop: I think I'd like to make a comment on the privatization issue. It certainly hasn't been anything that this government has discussed in at least four years. There have been no plans whatsoever for any privatization of the LCBO. I think we can say that very safely here. I think Mr Brandt has done a phenomenal job in reorganizing and putting the LCBO on the right track. I think the \$850-million profit that went to the government coffers in 2000-01 shows that.

1210

I strongly support Ms Hammond because, first of all, as someone from Muskoka, her family has a phenomenal

history in small business, in the transportation industry in Muskoka. It's one of the companies we're very proud of.

I was going to say to you, Mr Martin, she can probably put you in touch with someone who can provide you with a bus that will pass the Drive Clean emissions test in the province. So pass that on to Howard.

The Chair: I missed the import of the last comment.

Mr Mazzilli: I just want to make a small comment for both this committee and for Mr Martin. If you want that discussion opened again, you just run the LCBO improperly and that's exactly what you have. In order to run this crown corporation properly and profitably, the issue and the argument about privatization will never come up. That's why it's gone away. It's an organization that is running properly with good corporate governance, and I think we need good people for that to continue.

Mr Wettlaufer: One thing that I learned in my business experience is that you don't go running around looking for bogeymen in every corner. Mr Martin, just because you're looking for bogeymen should not disqualify a candidate with the qualifications of Ms Hammond.

Mr Gravelle: With all due respect to our colleagues on the other side, the fact that is in 1995 the privatization of the LCBO was very much out there as being one of the goals. It was brought up again, it seems to me, not that long ago. Ms Hammond was very careful in what she said, but I guess I do share Mr Martin's concern too. She was a very significant player during a time when it was very seriously being considered, and I happen to think that would be a wrong decision. Perhaps you're right that if it's properly run it's not going to come up again. But the fact is that is a concern we have, and I think it would be a wrong move by the government. She wasn't particularly forthcoming, if I may say so, about how the case was being made at the time when it was there. I'd like to think that probably Ms Hammond would have some insight. So I'm also not going to support the appointment because I have those concerns as well.

The Chair: Any other comments? If not, I'll call the vote. All in favour? Opposed? The motion is carried. The four intended appointees have been confirmed by the committee.

COMMITTEE BUSINESS

The Chair: We now move to agency review proposals.

Mr Wood: I move that the committee review the Sudbury CCAC and that one half-hour be provided for briefing of the committee, three hours for the hearing of witnesses and one hour for the adoption of the report.

If I may speak to the motion for a moment, that's been drafted after taking into account input from all members of the committee. We've tried to incorporate as many suggestions as we can in that motion. I think it would be a good start to agency review, and if more agency review is needed later, certainly I think that's open to the committee to consider.

Mr Martin: I just wanted to clarify on the issue of witnesses. How do we go about that? Do we each get to put forward a list of people we want to be brought forward?

Mr Wood: Could I take a crack at what I think this means, and if I need to redraft it, I will. My idea is that each of the three parties will have one hour for their witnesses. So each of the three decides who is going to be heard from in a one-hour period. Of course, that will be divided three ways in terms of questioning. So you would have one hour to have whoever you want before the committee. You have 20 minutes to question them, the Liberals have 20 minutes to question them and we have 20 minutes to question them, the same as the other two parties. That's my intention.

Mr Martin: In other words, we've only got three witnesses before—

Mr Wood: It's up to you. You have to decide that. I'm taking the time that you suggested and that would seem to me to be the way to divide it.

Mr Mazzilli: They could bring two witnesses for 10 minutes each.

Mr Wood: Yes. The number of witnesses is entirely up to the parties, as far as I'm concerned.

Mr Gravelle: That does seem rather restrictive. I appreciate that what you're saying is that in the hour that each of our caucuses have, we could call four witnesses, but ultimately it would still be divided by 20, 20 and 20 in terms of three parties. In other words, if the Liberal caucus called a witness that used the 20 minutes, we wouldn't get to ask them questions. Is that what you're—

Mr Wood: My intention is this: we have one hour in which you decide who is before the committee, right? That is your decision. Mr Martin has no input. We have no input. For that person—let's take it as being one person—you then have 20 minutes to ask questions, Mr Martin or whoever is representing his party has 20 minutes to ask questions and we have 20 minutes to ask questions. If you decide to have two witnesses, you divide by two; if you have three etc. So you can have four witnesses but you've only got 15 minutes per witness, or you may say—I don't really care how you divide it—"We have one witness we want to spend half an hour with and another two witnesses we want to spend 15 minutes with."

Mr Gravelle: Which would be 10, 10, 10 then if you had two witnesses, for example.

Mr Wood: Yes. You decide how many people are going to be heard from in your hour.

Mr Gravelle: But if the witnesses, for example, wanted to use the time themselves to make a presentation, they would be using up the time of the caucus that called them.

Mr Wood: Yes.

Mr Gravelle: That seems rather restrictive. Also, while I have the floor, Mr Chair—

The Chair: Yes, please continue.

Mr Gravelle: When we were first discussing this I think Mr Martin first requested the Sudbury and district CCAC, which I think is a very good idea, but I had also

mentioned that I would like to call the Thunder Bay district community care access centre and I'm still interested and keen on doing that. So I'm wondering whether I can get support from you, Mr Wood, for us to call a second agency as well. I think Thunder Bay and district, which is a huge area covering a great number of people and also a great area, would be a very useful one to call as well. So I want to make that request to you.

Mr Wood: My intention is to reserve comment on that request until we see the results of our first review. We have to start somewhere. I recognize we've chosen a suggestion other than your own but, on the other hand, we have acceded to the suggested CCAC.

Mr Gravelle: But certainly I made reference to my interest in doing that from the very beginning, and I appreciate I wasn't here at the last meeting, so I don't know whether that had an impact on Thunder Bay being dropped off the list, but I think we were talking about two of them. Mr Martin I'm sure will remember it that way. We had discussed Thunder Bay and Sudbury.

Mr Wood: We had to make a choice and it wasn't your suggestion we took up. It was not because we weren't aware of your suggestion; we were.

The Chair: Any further comment?

Mr Martin: Yes. I have some difficulty with the limited amount of time we're going to have here: a half-hour for briefing. I think there should be some time there as well for each of the opposition parties to put some information on the table for everybody to consider as part of this exercise. So I would suggest that another hour be added there: a half-hour for each of the opposition parties. I don't think three hours is going to be long enough for the hearing of witnesses.

Mr Wood: Sorry to interrupt you, but before you get off the half-hour, do you mind if I just comment on that? I'm not trying to interrupt what you're saying. My idea is that that time would be available for whoever wants to ask questions of the researcher. We don't want the researcher to read to us the briefing material. We'll read that on our own. The question is, how much time do we need to get answers to these questions on the record? In other words, if all of it is taken up by yourself and nobody else has any questions, my idea is not that that's divided three ways. If you think that's not enough—would you agree with me that we don't want the researcher reading the written material to us?

Mr Martin: No, but we do want to put on the record some of the rationale behind why the government has moved in this direction. I'd like to bring some of the research forward that our caucus has done on this and why we think it's being brought forward and what the impact has been so we can all consider that information, and I'm sure the Liberals would probably like to do the same thing too. We've been doing a lot of work on this and this is an opportunity for us to table it in front of a bipartisan committee and hopefully at the end of the day have a report come out that reflects that.

The other thing that I don't think—

Mr Wood: Sorry, can I just—

Mr Martin: Can I just finish?

The Chair: Yes. Go ahead.

Mr Wood: We could deal with them one at a time. I'm not trying to interrupt you, and I apologize that I am interrupting you. But if you're going to move off the half-hour, I wonder if we could deal with that first.

Mr Martin: I think we've got to look at the whole package, Bob, in that I don't think we can do it in one time slot. I think we need to look at other agencies and boards we've brought before this committee and see what kind of time we've allocated. I remember when we brought the ONTC and NorOntair we went for two or three days on that because we wanted to make sure that when we actually did this, it wasn't just an exercise to be able to say, "OK, we did that." We wanted to get some good information and make sure it was an effective process and that at the end of the day we had something that all of us could be satisfied was sufficient. I appreciate the motion and I appreciate your picking Sudbury, but I just don't think the time allotment here is going to be enough to satisfy what we want to do or need to do.

Mr Wood: I apologize for interrupting you earlier. It was not my intention to be rude. If you'd like to defer this a week and get the information from our last reviews, I'm quite happy to do that.

Mr Martin: I would prefer to do that than move with this here today—

Mr Wood: I don't have a problem with that.

Mr Martin: —if you're not willing to consider at least adding another day to this so we can do what I'm suggesting we need to do. If you need further information as to how much time was spent on other agencies, boards and commissions, then in order to do that, I'm willing to take that time.

Mr Wood: What I might suggest is that we've got to give quite specific instructions to the researcher so that he understands exactly the information we need. I'm quite happy to put this over a week, but I think we've got to make it clear to him what we want to know. I can take a crack at what I think we want to know, and if that's not what we want to know, others can add to it. I think what we'd like to know is, for the agencies reviewed in the last Legislature, how much time was allocated to the review? Is that the question we're asking the researcher?

Interjection: Yes.

Mr Wood: OK. So if we're going to put this over a week, and someone else may have something to say about this, what I think we are moving toward is a consensus that we put this over one week in order to get the information I just outlined.

Mr Martin: With the idea in mind that we expand the time that you indicated initially you're willing to agree to so that we can in fact do a fuller review.

Mr Wood: I might say that my mind is open as to whether or not we should change the time. I agree that the information you have suggested we need would be helpful. So I'm making no commitment to expansion or lack of expansion, although obviously my mind is open. Otherwise I would not make the suggestion I just made.

Mr Gravelle: This has gone on for such a long time, and I agree with Mr Martin that we need to have more time. I think that's pretty clear and I'm quite sure what we'll learn is that indeed more time was spent. But I guess what we're looking for is, and you have addressed this, so I won't go on too long—I think it's important that we have more time and hopefully you're going to be open to that possibility, because there's probably no point in carrying this on if you're not. I appreciate that you can just sort of say, "This is the resolution. Vote on it one way or the other." Anyway, I hope you really will be open to expanding the time availability.

Obviously, the whole community care access centre and what has happened in the last two or three years is very complex. Lots has happened, and I think we do need more time. I'm sure what we're going to discover is that in most agency reviews we have had significantly more time involved in doing that.

Mr Martin: That's fine. I'm agreeing with that. I just want to thank the researcher for some information that was provided for today's meeting in preparation for this discussion. I also thank Mr Wood for coming forward with the proposal. It precludes my having to get into the information that was prepared for us. I'm willing to wait and see what the researcher has to offer next week and then have a further discussion about the time we need and hopefully decide then on what we need to do to get a process and a result that will be satisfactory to everybody.

Mr Gravelle: Are we meeting next week?

The Chair: There are certificates out with a deadline for tomorrow, and I would guess there would be some people chosen from that list, so it's likely we will meet next week.

Mr Wood: What I will do is move that consideration of item 3 be deferred to our next meeting.

The Chair: We've had some considerable discussion. All in favour of that motion? The motion is carried unanimously.

One point of information I should bring to the attention of the members of the committee—I believe you would know this—is that Ms McLeod, when she was here at the committee, asked that certain questions be directed to the secretariat, and I sent a letter to the secretariat asking for a response to those. Mr Prins, would all people on the committee have had a copy of that letter?

Mr Tom Prins: No, but we can make it available.

The Chair: I would like that made available to each one of you. It's simply the questions she asked, and members of the committee were interested in seeing them responded to. We'll ensure that you have a copy of the letter. When we get a response, it'll be to the committee, so all of us will have access to that at that time.

Any other business before the committee? If not, I'll entertain a motion of adjournment.

Mr Wood: So moved.

The Chair: All in favour? Opposed? Carried. Thank you very much, members of the committee.

The committee adjourned at 1226.

CONTENTS

Wednesday 25 September 2002

Subcommittee report	A-53
Intended appointments	A-53
Mr John Richardson.....	A-53
Ms Pauline Demers.....	A-57
Mr Kevin Ashe	A-61
Ms Beverley Hammond	A-64
Committee business	A-70

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Wayne Wettlaufer (Kitchener Centre / -Centre PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Garfield Dunlop (Simcoe North / -Nord PC)

Clerks / Greffiers

Ms Anne Stokes

Mr Tom Prins

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

CA20N
XC19
- G52

Government
Publications



A-5

A-5

ISSN 1180-4335

Legislative Assembly of Ontario

Third Session, 37th Parliament

Assemblée législative de l'Ontario

Troisième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 9 October 2002

Journal des débats (Hansard)

Mercredi 9 octobre 2002

Standing committee on
government agencies

Intended appointments

Comité permanent des
organismes gouvernementaux

Nominations prévues



Chair: James J. Bradley
Clerk: Anne Stokes

Président : James J. Bradley
Greffière : Anne Stokes

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 9 October 2002

Mercredi 9 octobre 2002

The committee met at 1003 in room 151.

SUBCOMMITTEE REPORTS

The Chair (Mr James J. Bradley): I'm going to call the meeting to order and first of all welcome members of the committee. Then we will go to some business we have.

There are a couple of subcommittee reports here—a report of the subcommittee on business dated Thursday, September 26.

Mr Bob Wood (London West): I move its adoption.

The Chair: Mr Wood has moved its adoption. Any discussion? All in favour? Opposed? The motion is carried.

There's also one for October 3. You don't see it on the agenda, but there is a report of the subcommittee on committee business dated October 3. I think it was circulated to everyone.

Mr Wood: I don't have a copy. I may have got one, but I don't have it with me. If I could look at it, I might be interested in moving its adoption.

The Chair: I'll give you my copy right now, and you can have a look.

Mr Wood: I did indeed receive this. I move adoption of the subcommittee report of October 3, 2002.

The Chair: Mr Wood has moved its adoption. Any discussion? If not, all in favour? Opposed? The motion is carried.

INTENDED APPOINTMENTS

BETTY MOSELEY-WILLIAMS

Review of intended appointment, selected by official opposition party: Betty Moseley-Williams, intended appointee as member, council of the College of Physicians and Surgeons of Ontario.

The Chair: Our first intended appointee, as a member of the council of the College of Physicians and Surgeons of Ontario, is Betty Moseley-Williams. You may come forward.

As you are aware, you have an opportunity at the beginning to make a statement, should you see fit; it's entirely optional. Subsequent to that, the questioning will be from representatives of each of the political parties represented on the committee.

Ms Betty Moseley-Williams: Good morning, Mr Chairman and members of the committee. Thank you for inviting me to appear before this committee with respect to my intended appointment as a public member of the council of the College of Physicians and Surgeons of Ontario. I do appreciate the opportunity to tell you a bit about myself and why I feel I would be an asset to the council.

Although I have been involved in the education field for many years, I started my working career as a nurse. I graduated from St Joseph's Hospital School of Nursing in North Bay and worked at St Joe's for most of my working life, first as a full-time staff member, but mostly, because of a growing family and a considerable interest in education, never more than part-time. As well as St Joe's, I was also employed in the nursing department at corrections for about four years with young offenders at Project Dare in South River and with adults at the jail in North Bay.

As I had become very involved in education at the local, provincial and federal levels, I left the field of nursing in about 1989 and haven't registered with the college since 1994.

I have been and continue to be very involved in my community. I was elected to the then Nipissing District Roman Catholic Separate School Board and served on that board until 1997. When one of our sons returned to teach in North Bay, I found it difficult to be fully involved at the board table; I had to be blocked out of too many things. After he came home, I resigned as a trustee.

At the provincial level, I served on the board of directors of the provincial association and completed my term there as president. Following this, I was on the executive of the Canadian Catholic Trustees' Association. At these two levels I enjoyed a positive working relationship with all the trustee associations and enjoyed a good relationship with the governments of the day.

I was completing my term as first vice-president when I left the school board.

I was appointed to the Education Improvement Commission in 1997. The EIC was created to oversee the transition of a new system of education governance in Ontario. As a commissioner, I received some training in working as a quasi-judicial panel member. We heard appeals on board transfers of assets and liabilities. I wrote decisions, both alone and as part of a team.

During my years in education, I worked with all three political parties and was appointed to working com-

mittees by all those parties. During that time I did learn to go through legislation and to read and understand most of it.

I appreciated the opportunities to work in a broader context than just Catholic education, and I think I acquired recognition of the commonality of the many problems boards faced. In those appointments, I considered my responsibilities to be to the people of Ontario rather than just to the political parties. I met many groups of parents and students during the three years at EIC and have been invited back to talk with the parents and students.

Like all Canadians, I have been following the directions and happenings in health care. Up to now, I have been watching and absorbing as a consumer. During these few years, I have helped people find a family physician, which is very difficult, and maybe especially difficult in the north where we live. I felt real concern myself when our family practitioner retired. However, he very responsibly placed his patients with other physicians, and we're fine.

I believe my background in working with boards, my ability to listen and make sound decisions, and my experience in working with diverse groups will make my participation a positive benefit to the council. I look forward to the challenges and learning that will come with this appointment. I would be an involved and committed member.

1010

The Chair: Thank you very much. We begin questioning with the official opposition.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): It is indeed very good to see you here this morning. For the record, I'm very happy to say that our paths have crossed on many occasions, and they have always been very pleasant ones.

I'm always curious—and I think members of this committee can attest to the fact that I am—to understand how it is that people come to be intended appointees for various agencies, boards and commissions. So I was wondering if you might explain how it is that you're here as an intended appointee to the council of the College of Physicians and Surgeons of Ontario.

Ms Moseley-Williams: I was told there were going to be openings at the council of the college. I had been involved at the local level, talking about a new hospital, talking about the difficulty in having doctors stay in the north and—I don't want to do a whine about the north—the issues we have. I had written a paper at home for study on why we should be more involved with the college, why we should know a little bit more about it. So when I knew there was an opening, I did send in a resumé and was then approached to see if I would be interested.

Mrs Dombrowsky: I was curious too when you made some comment about the fact that you did help bring a doctor to your community.

Ms Moseley-Williams: Oh, no. I'm sorry, Leona. I did that wrong. I helped people find doctors. There are

people in our part who don't have a doctor for up to two years. And you know that walk-in clinics are not for medicine; they're not a good thing.

Mrs Dombrowsky: You won't get any argument here.

Ms Moseley-Williams: I sort of steered them in the direction where they would get a physician. No, I was never successful in bringing anybody in there.

Mrs Dombrowsky: OK. I know Mr Gravelle has some questions as well.

Mr Michael Gravelle (Thunder Bay-Superior North): Good morning, Ms Moseley-Williams. I just want to pursue your appointment a little bit further. Did you do this through a politician's office? Was it Mr McDonald or Mr Harris at the time?

Ms Moseley-Williams: No. I took my resumé in to AL McDonald's office and asked his EA if she would forward it.

Mr Gravelle: Can I ask if you have political involvement yourself? Are you a member of a political party? We like to ask those questions too.

Ms Moseley-Williams: I am a member of the Progressive Conservative Party.

Mr Gravelle: And you've been involved in a variety of campaigns, I take it?

Ms Moseley-Williams: I was involved in some in the past. The last one, unfortunately—no, fortunately—I was in British Columbia for a month.

Mr Gravelle: Fair enough. Let me ask you, if I may, some more about your appointment to the council of the College of Physicians and Surgeons. Obviously there are some interesting controversies related to the college. Do you feel your skills—you will be a public member of the council, of course, and I guess they always make it clear that although you're not expected to have skills related to the health care field, I appreciate that in your opening remarks you made reference to your interest in terms of that. What do you think you will bring to the council in terms of your professional skills, I guess specifically related to the education field? How will that help you do your job in terms of the council?

Ms Moseley-Williams: Well, I think I'm a very good listener; I think I am a good, clear thinker; and I can be part of a decision that doesn't necessarily have to be my own. I can go forward and go through a discussion. I have some understanding of the need for physicians and surgeons to be better recognized in the province. I think I have a good understanding of that. I have an understanding of the way medicine has changed, that people now have to take a bigger responsibility for their own health care and work as part of a team. I think the skills I had in the appeals were not a walk in the park but they were well learned, and I think the decisions I wrote were very good.

Mr Gravelle: I do want to ask you some more questions related to the college's investigation of physicians who are accused of incompetence, but I'm going to pass it to Mr Bradley now, and if he leaves me some time, that would be fine. Please go ahead.

Mr James J. Bradley (St Catharines): It's a great opportunity, even though you're the Chair, to be able to ask a question that all of us are interested in. It's an issue that arises with all of us facing physician shortages.

Specifically, my question is—and you may not have the answer yet but maybe if you are appointed or it's confirmed, you'll be able to handle this. It's largely young people who are Canadians who go abroad to receive a medical education. Ireland is one good example; there's a medical school there. There's a medical school or more in the Caribbean. They try to come back to Canada, specifically to Ontario, to practise and there are many hoops that they have to go through. I'm wondering if you're aware of what those hoops are, and for all of us here—because each one of us on this committee will be looking for an answer to this—how we can speed up that process and still maintain high-quality physicians in our province.

Ms Moseley-Williams: I'm not aware of the hoops as such. I know they're there, because I also have known people who have tried to fly through them. However, I think the college's job is to ensure that those people who wish to practice medicine in Canada and Ontario are aware of the quality that is demanded and that they have the education and expertise. If they have that—and I think it should be determined more easily than it seems to be—then I think the hoops should be knocked down. For Canadian young people who go over to other countries—and I think it happens in other professions—if it's an accredited school and the college knows it's an accredited school and people graduate from there, then I feel there should be more openness to letting these people come back to Canada.

Mr Bradley: I think a joint task force has been set up by somebody—I don't know who it is, to be honest with you—that's going to bring together everybody who points the finger at someone else. Because one of our problems with always trying to solve problems is the college will point to maybe the OMA—I'll just throw that out as an instance—and then they may point to the Ministry of Health and somebody points to somebody else. I understand there is a joint task force now, and maybe that will provide the answer.

I just wanted to perhaps put that bug in your ear as a problem that every one of us on this committee would be encountering: people wanting to come back to practise. We're trying to figure out the best ways of getting them back. So thank you, and I'll pass it back to my colleague.

Mr Gravelle: I'll pursue that a little bit further myself as well, if I may. I think it just comes down to the whole issue of foreign-trained physicians, some of whom are not necessarily natives to the country. The fact is the college does say, and we've heard them say this, that indeed it's the government that is not providing them with the funding that's needed. The provincial government has been saying, "No. We're doing what we can." It has become very frustrating, because obviously the issue of physician shortage is a huge one.

So the question to follow would be, do you intend to pursue that particular matter? Because it has been

difficult. Mr Bradley made reference to a task force. But we've been talking about this in the Legislature, certainly I have, and I know Mr Bradley has and I'm sure all of my colleagues here have. It's just three or four years and we hear that the government is planning to move forward to bring doctors more quickly into the system. As we know, the shortages are enormous. The underserved areas in the province are growing almost on a weekly basis. So would that be a priority for you? Certainly we'd like to think it would be.

Ms Moseley-Williams: I would be foolish to say no. It would certainly be a priority for a number of reasons. The first one is that I know our shortages are not going to get better if we depend on everybody from the schools of medicine to come to the underserved areas. So it certainly would be a priority.

I don't know if it's the same, but I think having Canadian students, Ontario students and other countries' students attend the medical school in the north is going to help a great deal.

It will be a priority of mine because our needs are pretty acute.

Mr Gravelle: I'm from Thunder Bay, by the way, so certainly we're looking forward to the medical school as well. It's going to be useful. But we continually hear quite literally of physicians who want to go to the north, and because of the regulations—and nobody here would question that we obviously want qualified physicians to go—and the fact that the province of Ontario is not as welcoming as it should be, they go off to Alberta or they go off to the Northwest Territories. These are physicians in all kinds of specialist fields that we desperately need. It is a huge issue that, as an advocate for the north, generally an underserved area, I hope you would make a real priority.

1020

Ms Moseley-Williams: I'll just repeat that it would be a priority, but I think it's a priority that those young people who wish to come here who are qualified and meet the standards of Ontario should be allowed in without too many hoops to get through.

Mr Gravelle: I guess—

The Acting Chair (Mrs Leona Dombrowsky): That would conclude your time, Mr Gravelle.

Mr Gravelle: Really?

The Acting Chair: Really. It is now the time for the third party.

Mr Tony Martin (Sault Ste Marie): Good morning and—

The Chair: Before you say good morning, I should say that Mr Gravelle always becomes angry with me when I cut him off, so it was nice for somebody else to cut him off today.

Mr Gravelle: That's not true; not angry.

The Chair: Sorry, Mr Martin.

Mr Martin: It's good to see you again, Betty. When I saw your name on the list of people who were coming forward the other day, I thought to myself, "Is this woman never going to retire?"

Mr Wood: She's too young.

Ms Moseley-Williams: Well, when I get the lily, I guess.

Mr Martin: She was a teenager when she was first elected to the trusteeship in 1971, I think, probably.

Ms Moseley-Williams: Yes.

Mr Martin: Anyway, I can attest to your having certainly worked very closely and actively with our government when we were in power from 1990 to 1995, because I was parliamentary assistant to the Minister of Education. I'm not sure whether it was you or Larry French I saw more of in those days. Larry was the quintessential lobbyist for OSSTF at the time, and I know on some of the issues that concerned you, you took the bit and went directly to the source and were involved.

I'm just wondering, after all that experience and time in education—I probably already know the answer, but why the shift now? Why this one? Why now into medicine, the College of Physicians and Surgeons?

Ms Moseley-Williams: You know I was a very passionate advocate in education; that was very important to me. However, I lost a lot of voice when my son became a teacher and I could no longer participate in many things. If he would change his name to Smith, it would help dramatically. However, with a name like ours, people know.

I've always been interested in health care, first as an active member and then peripherally; then because I feel I can do something for some of the associations that desperately need to interact with the college more. I am personally now involved with a family member with Alzheimer disease, and I think that in some areas of the province they are very lucky. I think there are many people who need to know more. There are too many issues like that that we have to learn how to address with the public, with the people involved, and I think I'm pretty good at that.

Mr Martin: I have to say to you that when I first discovered you were a Progressive Conservative, it surprised me, to be frank, because of what I consider to be your passion for a number of things that I discovered as we got to know each other when we were in government. In questioning people here at this committee, we're always interested in whether you're coming as a person who reflects and will speak on behalf of their community or if you're somebody who is simply coming to make sure the government's agenda gets implemented. There's a distinction for us there.

I'd be interested in your take on this government's approach to the issue of people living in poverty and some of what we've seen by way of the growing gap and the circumstances that poor people find themselves in. You would have some direct knowledge of some of that because of the work you've done in education and the struggle that the education system is having in dealing with people who show up at their door presenting with all kinds of social issues, a lot of them driven by the fact that they just don't have enough money.

Are you completely comfortable with the approach this government has taken where dealing with poor people is concerned?

Ms Moseley-Williams: I've never been completely comfortable with any government's position on most of those social issues. However, I work with a group in North Bay, and we have had funding from all the governments. It's to do with people who are on that slippery slope and who are living in poverty. We have a marvelous program. I work with that. I try, as a person, through that group and through the church I belong to, to help people.

I think there needs to be a softening of the approach of all levels of government: the federal, the provincial, the municipal. School boards also need to look at what's happening to the people in their schools who are in need. But I don't think the answer is simply to say, "I'm going to leave this party." I agree with many things they do.

I just wanted to say, because of your opening comment, I'm not here to fulfill anybody's agenda. Ask anybody who has worked with me. If I were to be anything, I'll be my own person and I'll work within the College of Physicians and Surgeons for the good of the people who need that service.

Mr Martin: I believe you. But I want to shift a slight bit and ask you a question or two about your involvement with the Education Improvement Commission and how pleased you are with where that has gone. I just recently met with the separate school board in Sault Ste Marie, the Huron district. I sense from some of the questions they asked me and some of the conversation we had a very real sadness around their ability to affect any more some of what goes on in the classroom, because a lot of decision-making has been taken away from them. In the old days, you collected the taxes—although I would not promote going back to the old funding formula; certainly we need to find a new one that works.

Some of the trustees themselves suggested that maybe there just wasn't a role for them any more and what that represents in terms of local control of education—I have four kids in the system. I have three kids in high school now. I had my four kids when we knew each other but none of them were in high school. I've got three of them in high school now, and I have to say to you that it's been a struggle with them these last few years, trying to make sure they were able to keep up with the changes that were going on. But the lack of control by trustees now of their domain that has come about because of the changes, I think driven by the Education Improvement Commission.

Ms Moseley-Williams: The Education Improvement Commission was there to look at the new governance structure, which was the larger boards, fewer trustees, and the establishment of the French-language school system. I think that part of that job was done very well. The fact that we established a French-language school system in this province without bloodshed—which may be dramatic—was very good. I think it's quite an accomplishment.

Am I totally happy? I think the funding formula basically is very good. I think it has to be adjusted because the

financing needs to be stronger, which was not my purview.

The role of the trustees, and, for that matter, other people in education: when we spoke to the different groups, I think many of the concerns they're voicing now were not discussed. I would like to see them have local responsibility, but I also say that if there's responsibility, then you are responsible. You have to do things. That was not happening in the province even with the old—there were students in the province who were not well served. I think many now are better served, but it's like anything else, it's a growing thing and it needs to keep growing.

1030

Mr Martin: I know that you talked about the lack of doctors in the north and certainly I can relate to that. We're all holding our breath for the new northern school to begin to produce new doctors that will hopefully stay in the north, although that's a ways out. We have some immediate challenges, certainly, in the Soo, as in other places.

What would your more immediate hopes be in terms of accomplishments in the College of Physicians and Surgeons?

Ms Moseley-Williams: A big interest, what we talked about earlier, is to have doctors get into Ontario more easily if they're qualified. I would like to see, as there are going to continue to be complaints—maybe it's just my background, but I'd like things to happen faster. I don't see complaints going on for two or three years. It would seem to me that is something that needs some real work.

I would also like to see all of the people in the health care field have a little more co-operation, a meeting of minds, as opposed to—we use the expression in education—too much turf protection. I would like to see more unity in those groups.

I don't know what role the college plays in having a medical school in the north. I do know, as a person of the north, that we too often were sort of told that we would have a school that was an arm of, or a part of or under here, and rightly we said we would like to have a school that was ours. We would like to have the two campuses and we want the other medical schools to realize that part of their students' residency internship, whatever it's called, would be spent in the north. We need to get people to come up there to see it. Those would be the things I'd be most interested in.

Mr Bert Johnson (Perth-Middlesex): I want to say that we have a young man, a respected businessman, in my home town of Listowel with the name of Moseley-Williams.

Ms Moseley-Williams: I would love to say he was mine because I think he could leave me something in his will, but he's not. He's a nephew.

Mr Johnson: I can tell you that he has a lot of respect in our town, and you've gained a lot of respect from your neighbours in the last few years. I just want to say that I've followed not your career but some of your achievements. I want to congratulate you for putting your name forward for this particular duty.

Ms Moseley-Williams: Thank you very much.

Mr Wayne Wettlaufer (Kitchener Centre): Ms Moseley-Williams, good morning and welcome.

The College of Physicians and Surgeons: according to their mission statement their prime responsibility, to the people of Ontario. I'm going to read a couple of things. The college acts according to that, "To ensure that the college is accessible and fair to all members of the public throughout Ontario; and to ensure that the work of the college is publicly visible."

They also, by act, operate independently of the government. But they aim to assure the government that it is fulfilling its mandate and they aim, "To act as an advocate for the people of Ontario with the government, regarding the issues of public protection and quality of medical care."

You said before that you were a passionate advocate in education. I'm probably one of the biggest critics in this province of the College of Physicians and Surgeons. One of those areas is in its disciplining of doctors. I have had instances when they have disciplined where discipline wasn't required, and I have seen, as all the people in Ontario have, many instances in which they took far too long to discipline a doctor. They granted the authority to practise to doctors who should never have had the authority to practise, based on their records elsewhere.

One of those physicians was a psychiatrist in my own Waterloo region. This psychiatrist had had allegations of sexual misconduct in two other countries. He was granted the authority to practise as a psychiatrist and, of course, over a period of years—I believe about five or six years—engaged in alleged sexual misconduct in our region.

When this first came to my attention, I wrote a letter to the College of Physicians and Surgeons. I received one of the most patronizing and insulting letters I have ever received in my careers as a businessman or as a politician. It was essentially, "We'll look after things in our own good time and in the way we do it. You go away." I think I was entitled to a little bit of rage.

The college has supposedly increased the number of investigators from three to 30 over the last 10 years. They have, of course, commissioned a review of their procedures by KPMG. Again, they claim that the vast majority of the more than 2,000 complaints they receive each year are disposed of within a year, but that serious allegations require substantial amounts of time to be investigated conscientiously. I personally don't believe they require the kind of time they claim they do, especially in those instances where there have been allegations against doctors in other countries or other provincial jurisdictions.

I guess I'm wondering what your opinion is of this and what action you would take in order to ensure that the college acted more responsibly to the public and to the government.

Ms Moseley-Williams: I don't think any investigation should be prolonged. I guess I'm impatient; I like to have a timeline and say, "It's going to start, we're going to do something and we're going to report on it."

I do know from experience in my other life that in doing investigations one is very careful or you poison the whole thing and go no place, and I think that caution should always be there. However, I don't think anybody should receive any kind of letter that in any way demeans that person. I would like to say that if I was part of the college and of that committee, I would like it to be an imperative that we look at the steps that are taken and, with very good advice, put a system in place that would serve the people of Ontario, the doctor who is involved and the college.

I also question why anybody would be allowed to practise, either as a doctor or, as has happened, a nurse, who comes with a blemish from another part of the country. It has happened, and unless those gates are closed, it will continue to happen. I would want to work in that direction.

1040

Mr Wettlaufer: I have another question. Given what I've said about doctors coming from other jurisdictions—Mr Bradley raised the question before about Canadians who are trained in other jurisdictions—nevertheless we do have thousands of doctors who come here who are not Canadians but who are of ethnic origin. They may be Yugoslavian, German, Pakistani, Indian or Chinese. They have been trained and have practised abroad.

If the college did its research and found there was no blemish on that doctor's record—one of the criteria to be able to practise in Ontario appears to be that the college insists that this doctor be able to speak and write English fairly well. I wonder, when we have such a large ethnic population in the province, whether you feel it's important if a Chinese doctor practises—perhaps his Chinese patients in the city of Toronto don't care whether he speaks or writes English that well. Maybe the Serbian patients of a Serbian doctor in Kitchener-Waterloo don't care if he writes or speaks English that well. Do you have an opinion on that?

Ms Moseley-Williams: Of course people would be more comfortable in their own language. That's very true. But nobody can say, "This person is going to look after Chinese patients" or "This person is going to look after Irish patients"—that would be a challenge.

I think it's of necessity that you have some working knowledge if you're going to have hospital privileges and be working with people who cannot understand other languages. So although I think people should come to Canada, I think we have to be aware and help them be prepared to deal with the population of Canada. I guess that sounds a little unfair, because certainly Canadian doctors don't learn 12 languages—that's a hard one.

I think it would be encouraging for people to know the language of their patients; that's fine. But when you're going to be writing prescriptions, working within a hospital or working in the lab, you just have to know where you're going with it.

Mr Wettlaufer: I do a lot of work in the ethnic communities. One of the problems I have witnessed is that we have doctors who are very well trained in Ontario—of

course they can practise in English, but they can't make the treatment well enough known to the ethnic patient. He can write out the prescription to the pharmacy, and of course the pharmacist tries in his utmost capacity to explain what is required to the patient, how he is supposed to take these medications. The patient still doesn't understand. The patient sometimes takes the medication mistakenly and causes further problems. Are we in any different situation there than if we had the foreign-trained doctor coming over here?

Ms Moseley-Williams: I just want to say one thing about it. I think that most hospitals—maybe that's an exaggeration. Many hospitals are trying to have the interpreters who are needed. If there was one thing I learned going around this province, it's that it might be very comfortable to think we're a nice little Anglo-Saxon province. Well, we're not. I think that parts of Ontario strive to have a sufficient number of interpreters to help people. If that is the college's prerogative or if they are supposed to do that, I would be interested in encouraging it. When we talked earlier about a team approach to the provision of medical services, that's one of the things that may have to be addressed. I don't care whether you're writing the prescription or feeling the tummy, somebody has to be able to tell the person what's going on.

The Chair: That will conclude—in case members were wondering, I had chosen not to see the clock, at risk of censure. Because on a number of occasions the government has waived its opportunity, I wanted to give Mr Wettlaufer some additional time to ask some very pertinent questions.

Thank you very much for being with us. You may step down now.

Ms Moseley-Williams: Thank you very much. Good morning.

DOUG LEWIS

Review of intended appointment, selected by official opposition party: Mr Doug Lewis, intended appointee as member, Consent and Capacity Board.

The Chair: Our next intended appointment is Mr Doug Lewis, who is an intended appointee as a member of the Consent and Capacity Board. We are welcoming him to come forward, and while we are, I should say of Mr Lewis that I didn't see this in the material but I believe he's an author as well. I think I have quoted him on a number of occasions for members of the House. For those who have served in opposition—there are none on the government side who have served in opposition—he was the deputy House leader or, I believe, and he may correct me, the person in charge of question period, at least. I believe the quote was something such as, "Every member of the caucus pitching a question believes that his or her question will either bring down the government or ensure that individual's re-election forever." I'm paraphrasing it, but I've quoted that, Mr Lewis, on many occasions.

The name of the book is, just so you can get your commercial in?

Mr Doug Lewis: I'm sorry. I don't know what author quoted me, but I appreciate it, and I did say that.

The Chair: It was a writing of some kind. I was under the impression that it was a book, but I know it was a publication of some kind where you had been quoted. It may have been the Canadian Parliamentary Review or something of that nature.

Mr Lewis: I got most of my jobs in government on the basis that I wouldn't write a book.

The Chair: Welcome to the committee, sir.

Mr Lewis: Mr Chair and committee members, with the committee's permission I'll make a few opening remarks before I turn to answering questions. I should say that when I was in opposition I thought these types of hearings were a good idea and, despite the fact that I'm before you, I still think they're a good idea.

You're probably wondering how I came to be here. It's my understanding that there is only one lawyer in Simcoe county appointed to the Consent and Capacity Board, and that the member of the provincial Parliament for Simcoe North was contacted and asked if he knew of any lawyers who would be interested in this type of work, and his office contacted me. I was generally aware of the board's activities and responsibilities, but I applied myself to what would be involved and decided it would be something that would be interesting, and that either I was qualified or could make myself qualified through a more detailed study of the workings of the act and some training. My practice is restricted to legal work, which is usually easy to schedule and reschedule if necessary. Therefore, I believe I can make myself available to carry out the duties of a member of the board.

I think I can make a contribution to the board because the function of the board deals with people. Mr Chair, if I may say, your federal colleague Walt Lastewka and I cut our teeth in volunteer organizations with the Canadian Jaycees, and I found that, in that organization and in politics as well, as an elected representative, the higher you go, the more removed you are from dealing with people, which is one of the things that I have quite enjoyed over the years. That was another reason this type of work interested me.

From, as I often say, my premature and unorganized departure from politics in 1993 until September 2001, I did a variety of consulting jobs. A year ago September, my wife and I formed a partnership with three other lawyers. I practise corporate and commercial law, and I'm starting an immigration practice. I bear much of the responsibility for the administration of the firm.

1050

My other major activity is that I'm the volunteer chairperson of the capital campaign to raise \$12 million for the hospital in Orillia. We're at \$10,300,000 and the campaign is winding down. So I think I have the time to do the job.

Mr Chairman, I didn't prepare a resumé of my activities either in business or in politics, because I thought it had been provided to the board.

The Chair: Yes.

Mr Lewis: So I don't see the necessity to rehash what's in that resumé. I'm open to answer any questions.

The Chair: Thank you very much, sir, and we begin questioning with the third party.

Mr Martin: Thank you for coming this morning and for putting your name forward for this very important work. I don't have to spend a lot of time prying in terms of your political affiliation; it's right out there and in fact it's included in the resumé that we received. I don't think there's anybody around the table here who would suggest for a second that political affiliation should get in the way of good appointments. Our concern is always whether that appointment is simply to drive the government's agenda or whether it's to represent a broader perspective from the community at the table.

My first question to you would be, in your review of the material that you looked at to prepare for this work, what was it that first said to you, "Yes, this would be something that I could probably contribute to"?

Mr Lewis: Taking away somebody's liberty through involuntary committal is probably about as serious as it gets unless you're dealing with the criminal law. The decision to do that is one that has to be reached after a great deal of thought, after a proper hearing of the witnesses involved. That kind of challenge interested me.

Mr Martin: Obviously, as you have suggested, it is a very sensitive area. A lot of the people whom you'll have to make judgment on behalf of are some of our more at-risk and vulnerable in the community, with not many support services available.

You know that there's a continual debate happening out there as to just how much say a mentally ill person should have in their own future and how much control the state should have or others should have. Certainly, when we passed Brian's Law in the Legislature we were all lobbied by both sides of that issue.

Have you looked at that issue much, and what are the concerns that arise for you?

Mr Lewis: In the papers that were provided me by legislative research, there was reference to Brian's Law. I think the debate that I understand took place over that law refers right back to what I said about taking away some of these liberties. The question is, you have the individual's liberties on the one hand and you have the community on the other hand. It's a balancing act. I would say, sir, with due respect to your party, the debate was sort of brought forward by some of the legislation that your party produced between 1990 and 1995. I think the debate's been healthy, and the debate surrounding this law and the particular circumstances of the incident that prompted it was healthy. That'll be the challenge, just balancing the rights of society to protection and no fear of bodily harm and the individual's right to liberty. That's the challenge.

Mr Martin: If, in your role as adjudicator, you discover that there are very obvious extenuating circumstances that are contributing to perhaps a larger number of people coming forward needing to have judgment

made about—for example, there just aren't the services available out there in the community to support some of these mentally ill people. One of the criticisms that's made of all three parties, because we all had a hand in it—when the facilities for people suffering from mental illness were closed back in the 1980s, there wasn't the promised community-based resource available to support them in their new living circumstances. If you discover in your deliberations that there are other extenuating circumstances, as I said, would you be willing to come forward and offer advice and suggestion to government on that? And if—well, I think you understand the question.

Mr Lewis: During the 1980s, we took a look at how we could deal with mentally challenged people in the community. As you probably know, Orillia was the centre of a very large institution which dealt with people who were mentally challenged, and long-term; it wasn't an in-and-out sort of thing. That particular change of how we look after them came to Orillia—I wouldn't say very hard, but we were very aware of it—and the community adapted, the volunteer organizations came into play and dealt with it.

Now, you're asking me a good question. If after a couple of years of this, if I'm successful in being appointed, I find that certain symptoms are there all the time, I would hope—I don't know how the board operates—they would convene meetings from time to time to say, "All right. What are we finding? What suggestions can we make to the government of the day to improve the situation?"

I always found, especially as a minister, if I could say this, that it was kind of fun to leapfrog the bureaucrats and the political assistants and talk to people. So I won't have any difficulty doing that and promoting that idea and concept.

Mr Martin: OK, which brings me to one other question. I know you were here when we were questioning Ms Moseley-Williams. You're a Progressive Conservative and you've watched over the last seven or eight years the evolution of public policy where this government is concerned and the issue of poverty. The relation between those who are suffering from mental illness and poverty is quite obvious and direct. It's my view that some of the reason many people in poverty are now experiencing multiple issues of a health nature, many of them mental health, is because people just don't have the resources available to them. Some of these folks are never going to work—it's just not possible for them—and to have cut their level of income or have kept it at a point where it hasn't grown, in some instances, for so long seems to me to be a fact that is contributing to some of the difficulties that we're seeing.

Are you comfortable with where this government has gone on the issues of poverty and support for people who can't work?

Mr Lewis: I thought that was a good question when it was posed to the previous witness. I'm comfortable with where the government has gone. Would you do it the

same way yourself? Maybe not; maybe not all the time. Everybody has their own view of things.

If I could just give you a parallel, when I'm asked, "How many more beds is the new hospital going to have? Gee, I thought we would have many more beds," I say, "Have you talked to anybody who had their appendix out lately?" I haven't have my appendix out, but one of my friends had theirs out; it was a two-week stay in the hospital. Now it's two to three days and you're home. So I think things have changed. The way of dealing with mentally challenged people has changed. The way of dealing with people you're committing on an involuntary basis has changed. I think it's all healthy that we're looking at this and examining it.

Mr Martin: OK. Thank you very much. Those are all my questions.

1100

The Chair: We move to the government caucus.

Mr Frank Mazzilli (London-Fanshawe): Thank you, sir, for putting your name forward. I've got to tell you, as a lawyer member for the Consent and Capacity Board, you will have a very difficult job. The board is made up of three people, as you know. The psychiatrist will give you his or her medical expertise, if you will. The community member will give you his or her expertise in the community, but likely will not know the law to an in-depth level. At the end of the hearing you, as the lawyer member, have to make it all work somehow. It does work pretty well.

Like you said, it's taking away someone's liberties who obviously—most people have no insight into their illness and you're taking away their freedom in the community and, even more importantly, the consent to treatment. You're going to have some interesting hearings where medical practitioners will want to treat someone against their wishes, and that's all part of the job. I just wish you luck.

Mr Lewis: Thank you very much for your insight into it. I have a very general, superficial idea of what's involved now. Once we're in the training, I'm looking forward to gaining a very deep knowledge because I understand that there are perhaps responsibilities that you've just outlined that have to be brought to bear.

Mr Wood: We'll waive the balance of our time.

The Chair: The government caucus has waived the balance of its time. That moves us to the official opposition.

Mrs Dombrowsky: Good morning, Mr Lewis. I believe I understood in your opening remarks that this was a role that you were very interested in. Am I to understand that you actively went out and looked for this type of appointment, or were you approached by someone to consider this appointment?

Mr Lewis: No, I did not actively seek this appointment. I was called by Garfield Dunlop's office and they said, "The board has asked if there's another lawyer in Simcoe county who would be interested in serving on this board," as there was only one appointee. So I considered the job, found out a little bit about what it was

about and said that I would be willing to serve, and then that started the process.

Mrs Dombrowsky: That is helpful. You also indicated in your remarks, and I certainly appreciate your legal background, that the role you would have to consider—taking away the rights of an individual in terms of his or her will to determine whether or not to be medicated—is very serious. That would only be done when his or her safety or the safety of the community would be at risk. In the background, there are various situations that would be considered. I'm sure you are familiar with the phrase, "erring on the side of caution." I would ask you, if you were to err on the side of caution, would you be more cautious to remove an individual's right to choose, or would caution be protecting the interests of an individual or a community?

Mr Lewis: I think each individual situation is going to depend on the fact situation that is involved. That's the balance: the individual's rights and the rights of the community.

Mrs Dombrowsky: But there are going to be tough ones. If there was a situation where the psychiatric assessment put a very strong case but then on the other hand the individual would have demonstrated really a capability of understanding the illness and a will and perhaps a guarantee or a promise that they would adhere to their prescribed medication, if you were to err on the side of caution, what way would you go?

Mr Lewis: I'm sorry, I still have to say it would depend on the fact situation: all the background of the individual and then the community setting in which they're living. I find it hard to answer that in generalities.

I wouldn't be here if this job wasn't a challenge, OK? It's that challenge, just as you put it, that I'm looking forward to applying myself to. No matter what the decision, I guess I would be disappointed if, after all the decisions I've had to make in my life, I didn't put into the works everything that should be put in. So my biggest challenge is going to be making sure that I satisfy myself that I've considered everything. I don't tend to take too much time making decisions, but I do pay a lot of attention to the decision-making process, so I can assure you that I will bring to bear the individual's concerns and also the concerns of the community. I guess time will tell whether I've found the balance.

Mrs Dombrowsky: I do wish you well.

Mr Gravelle: Good morning, Mr Lewis. I should say at the outset, for those of you who have travelled through Thunder Bay's lovely new airport, Mr Lewis when he was the federal Minister of Transport, I think we'll acknowledge, was responsible for getting us our lovely airport in Thunder Bay, and working with Mr Comuzzi, our federal member. We love that airport. It's been great. It was tied into the World Nordic Ski Championships, as I recall; it was one of the justifications for it. It's a beautiful airport. People use it frequently. I know the members here have.

Mr Lewis, I do want to follow up in terms of the line of questioning, because it is a very difficult position that

you're moving into. I'm curious particularly about Mr Mazzilli's question. I'm not sure if you can amplify your comments any more, but it's true. It strikes me that if I'm a member of that board—there are going to be three members generally. I know sometimes they have more, but generally there are three. You've got a psychiatrist who is going to be providing you with presumably pretty detailed information. It just strikes me as being one where it's very difficult to make a decision. It ties into Mrs Dombrowsky's questions, too, in terms of making decisions. Maybe it isn't even fair to ask you, but I want to try anyway. How do you think you can use your own expertise, your own background, obviously your quite extraordinary background? I see that your wife was a former public health nurse and I'm kind of thinking perhaps over the years that has been discussed. Anyway, how do you see your role being a significant one as a lawyer, obviously, but not one who has particularly practised law in regard to these issues? If I can ask you to try and give us some more thoughts on that, I'd appreciate it.

Mr Lewis: You're correct that I haven't practised law in this capacity or on this issue area at all. I guess over the years I've been in a lot of situations where I wouldn't have survived if I got overwhelmed by the educational background of the people who were on the other side or also involved. The fact that I'm dealing with doctors, who I respect as a profession, doesn't overwhelm me.

I've learned that people, if I may say, such as the previous witness who spent a fair bit of time dealing with people in the community—I don't discount the talents that community people, people involved in the community, bring to the table, and I can be quite blunt about it. In my career I met quite a few members of the bar who felt they'd make a terrific judge. When I looked at what they've done, they made a lot of money and they spent a lot of time on Bay Street, but it didn't cut any ice with me because they never dealt with the community.

On either score, I'm not going to be overwhelmed by medical knowledge; I'm certainly not going to discount it either. I think the community member is there for a reason and they bring talents to the table but don't have all the initials behind their name that I just happen to have, and that isn't all bad. I think, quite frankly, it's quite good.

Mr Gravelle: I appreciate that response.

Mr Martin was talking as well about Brian's Law. I think a lot of the extra cases and applications that are coming forward relate to community treatment orders, and it was extremely controversial and very difficult legislation for all of us in the Legislature, those of us who were here. I'm just curious as to how familiar you are with Brian's Law and if you've had an opportunity in advance to even look at some of the cases that have come forward in terms of appeals to decisions made under that law.

1110

Mr Lewis: I don't think there are a great number of appeals, but I haven't immersed myself in it. I am aware

of the incident which brought it about, and that's where balancing the community and the rights of the individual comes into play. That's going to be the challenge for me, when faced with that type of situation, where it's a treatment situation that's just not happening. That's going to be the challenge.

Mr Gravelle: Do I have another minute or so, Mr Chair?

The Chair: You have only one minute.

Mr Gravelle: OK. You made reference earlier in response to another question about how the world has changed in terms of hospital stays, using the appendix example. But the one area where it seems to me—at least I view it as being reasonably unarguable—is that we have fewer beds for people with mental health problems. What we're seeing is that, unquestionably, people with mental health problems are going through the prison system as opposed to being cared for. I'm wondering if you're familiar with that. That has an impact, I think. It may not be directly related to the decisions that you'll be asked to make, but are you conscious of that and is that something that concerns you as well? You know, you talk to people who run the correctional services system and their greatest concern is that they've got people who need to be cared for in a psychiatric setting of some sort and have help, and here they are in the prison system. Are you, one, aware of it, and, two, concerned about it?

Mr Lewis: I'm not that aware of it, quite frankly. I have two daughters who are with the parole board, one on contract and one a permanent employee, and I'm aware of the stresses of their jobs. Also, Penetanguishene Mental Health Centre was in my riding and I interacted with them quite often. We have the new superjail over there as well. So I guess when I was asked if I would, after a couple of years on the job, have any thoughts, I'd rather give you my answer in a couple of years, after I've had a chance to see from my own point of view just exactly what the issues are and what the situation is.

The Chair: I have the opportunity of cutting you off this time, Mr Gravelle.

Thank you very much, sir, for being with us. You may step down.

Mr Lewis: My pleasure. Thank you.

PETER BROWN

Review of intended appointment, selected by official opposition party: Peter Brown, intended appointee as member, Ontario Family Health Network.

The Chair: We'll come to our next intended appointee, who is Peter D. Brown, intended appointee as member, the Ontario Family Health Network. You may come forward, Mr Brown. As you know, you have an opportunity for an opening statement if you desire to do so.

Mr Peter Brown: Thank you, Mr Chair. I appreciate the honour of this opportunity to serve the province and to meet with the committee today as regards my intended appointment to the board of the Family Health Network.

I have had the opportunity to speak with the chair of the board, Dr Ruth Wilson, and would be delighted to assist her and the board as vice-chair in carrying out the mandate, which I understand to be the implementation of the primary care reform model, primarily and most challenging through the expansion of the family health networks across the province.

This undertaking, as I see it, will involve considerable change for many people, and it is in assisting this very complex and important change process where I see myself making a contribution. I have preliminary remarks from my CV and a few additional personal highlights that speak to my experience and qualifications for this appointment.

I retired as the president of the DeVry Institute of Technology in Ontario a little over a year ago. My CV outlines my achievements at DeVry as I see them. My appointment at DeVry was in a turnaround situation. The school was failing on just about all counts: it was losing money; it was in considerable legal difficulty; it had negative relations with government and the student financial aid program; it had poor public and media relations; staff and faculty were demoralized; current students were anxious and fearful; high schools and boards of education were suspicious; and prospective students were doubtful.

Alternatively, and despite all this negativity, some essentials were working well. Employers remained pleased with the DeVry graduates, many students and graduates were absolutely delighted with their education, and faculty and students maintained a teaching-learning bond of incredibly high quality.

Over some four years, we worked from an interdependent, three-pronged strategy to get the school back on track: we did our best to affirm and keep doing what we believed to be working well; we stopped doing things that were causing the problems; we conceived and implemented strategy and practice that were likely to lead to improvement.

When I left, we had achieved the desired turnaround and changed DeVry, consistent with our goals and strategy. The school was still having a hard time achieving business targets, but we had progressed on our P&L year over year with really substantial percentage improvements. The key to our success was student, graduate and employer satisfaction and consequent constructive proactivity on their part—that is, these people really talked up and illustrated the positives of a DeVry education. We laboured diligently on what worked and stopped doing what didn't, and we resourced accordingly. We kept it simple, but not simplistic.

Prior to this private sector experience with DeVry, I was VP academic at Sheridan College, and at departure, acting president, and prior to that, a dean of several different faculties. As in most organizations during the 1990s, a major challenge of my tenure at Sheridan was that of organizational renewal. The majority of the staff and faculty at the college were quite content the way they were and not feeling at all in need of program, organizational or professional renewal of any kind. But as we

know, the combined and interrelated contemporary forces of changing economic contexts, new societal requirements and priorities for college programs and new kinds of students made change in the order of renewal an imperative. In all of this, perhaps the most important and challenging new direction involved staff and faculty working together across the college and outside of program exclusivity in new sets of relations and on new ideas of college education.

Working with groups of professionals towards a new and more integrated vision of a college was a remarkable learning experience. My primary learnings in all of this remain:

(1) Professionals working in the varied community and human services are less effective than they might be if they live and work only in their disciplinary silos. More than this, in the right circumstances, professionals are highly motivated to get out of their silos and work with others toward common goals.

(2) Properly approached, professionals who have been cultured into career-long expectations and the perpetuation of specialty territory will work effectively toward new and integrated visions when their disciplinary specialties, attendant skill sets and remuneration are not endangered.

(3) Disappointments and failures along the way happen but can be overcome if the values of the change culture and process are risk-tolerant and geared to learning and not to winning or losing.

There was a lot of trial and error, a tolerance for both within a reasonable timeline and resource base, increasing satisfaction with the process and, eventually, a critical mass of support for the changes envisaged, and some targeted and significant change was in place upon my departure.

I've been the servant of many boards in differing degrees of reporting proximity throughout my career: boards of trustees in education; boards of governors in college; program advisory committees in the college; and private boards in Canada and the US at DeVry. My perspective on boards that work well is totally from that of a provider of professional services—in my case, the provision of educational services of one kind or another within a policy framework as enunciated by the province or business plans as required by a company. In my opinion, good boards that I've been privileged to work with, in addition to knowing what they're about and how they need to work, listen well and relate well. They listen and relate well to themselves internally, to the professional agents and to the broader constituencies of their service mandates and business accountabilities.

I am then neither a seasoned board member nor a health care professional. But I do know something about planned change and how it works, or doesn't, in the service of public policy and business plans and through the practice of public and private sector human service professionals. I understand what boards do when they work well in effecting their mandates in service of policy and plans. I have a deep appreciation for the constructive

relationships which must exist between boards and their contexts: the professional communities of service providers; the target communities that receive those services; and the political agents and agencies who mandate the services in the first place.

I know the communities and geography of the province very well and have deep feelings for their well-being. Urban and rural, I have lived and worked across much of Ontario. When I was growing up, my father was with Bell management and we moved frequently, north to south, and southwest to central. I attended new schools every few years and, despite doubts at the time, now cherish the variety of it all. And as an educator, I pretty well repeated the travels of my school days. I've worked rural and urban, central and otherwise. My last residences of my working days were Oakville and downtown Toronto, and my last places of work, Mississauga, North York, and Scarborough. I was born and grew up in Toronto; graduated high school in North Bay and university in London; and I now live in Goderich. For better or ill, I've been around.

Retirement is wonderful and, of course, I'm writing a book. Retirees, as you should know, in their first few years would seem to have two vocational options: be either a consultant or an author. I've opted for the obscure progress of the latter. So I am enjoying myself very much but really feel I can and should do more.

Mr Chairman, members, thank you for your time. I welcome the opportunity to be a contributing member of the family health network board and the expansion of primary care across the province. Indeed, as a recipient of that care, I am more than ever sensitive to its continuing and vital importance for me and my family, and to the imperative that it be as best as it possibly can be.

I'd be pleased to respond to any questions.

1120

The Chair: Thank you very much. We begin with the government caucus.

Mr Wettlaufer: Good morning, Mr Brown, and welcome. I was particularly taken with your comment that you know how to plan and effect change for improvement. Being of a business background, I guess I've had considerable experience with planning change and effecting it, and sometimes it wasn't always for improvement, although you try.

What do you see as some of the changes which are necessary in planning the family health network?

Mr Brown: I haven't been into any of the board's working documents at this point. My knowledge of the family health network is pretty well limited, at the moment, to Hansard and to media announcements. I do understand that the main thrust is voluntary in bringing mixed professionals onside. Obviously the doctors are the key group, and the targeted number of doctors coming onside into the networks is—very simply, the success is not being achieved as regards the targets.

Without getting into what's actually been tried, I can't go very far. I certainly think there's evidence across the province in the earlier family health centres, as I under-

stand. For example, I've read a bit of the one at the Soo as well as some of the more recently developed networks that are working. So obviously there are success stories that need to be understood. The dynamic of it needs to be understood and success needs to be replicated. That's probably about all I can say now.

Mr Wettlaufer: I think it's human nature to oppose change. Of course, there will be many doctors that oppose this because it's unknown. Would you use the success of the existing ones to try to convince those who oppose the change?

Mr Brown: From my seat right now that seems to be a really good idea. I'd like to clearly talk to people who have doubtless tried it and find out how it's been working.

The Chair: Thank you very much. We move to the—

Mr Wood: We will waive the balance of our time.

The Chair: We move to the official opposition.

Mrs Dombrowsky: Good morning, Mr Brown. You did indicate in your remarks that you were a recipient of the service. Are you a member of a family health network?

Mr Brown: Oh, no. I am a citizen of the province of Ontario and I'm doing my best to get the service.

Mrs Dombrowsky: You've already indicated that there's a rather abysmal record in terms of achieving the target of having physicians sign on to the whole family health network plan. You are familiar with community health centres?

Mr Brown: Yes, just what I've read in the minutes from previous meetings of this committee.

Mrs Dombrowsky: Are you able to distinguish between a community health centre model of primary care service and the family health network model?

Mr Brown: At a superficial level. I do understand that for the breakdown in the Soo, for example, there is a role for the municipality that seems to be different than the network. As well, there is a greater heterogeneity of professionals that would seem to me to be involved in that particular model. It's my understanding that doctors predominate in the networks to date.

Mrs Dombrowsky: Yes. Do you think there might be one that would be better than another, in terms of structure?

Mr Brown: I don't know. That's clearly one of the first big questions I want to ask everybody who will listen, to understand more about it.

Mrs Dombrowsky: Yes. My family is a member of a community health centre, so I am very familiar that the governance of the centre is community-based. So the services that are provided within a community health centre are largely determined by the board of directors, which is comprised of people from the community who understand the needs of the people in their community. There is also significantly more participation with other health professionals in community health centres than in the family health networks. Do you have any comment on that or observation?

Mr Brown: Only that I do indeed want to find out why.

Mrs Dombrowsky: Is it something that concerns you, given the definition of primary care reform, given the fact that when we talk about primary care reform we are in fact talking about an initiative that combines a number of health professionals in a community to provide primary service to patients so we have a community health centre model where there seems to be a much more integrated approach with other health professionals, compared to a family health network model where there are fewer of the other health professionals involved?

Mr Brown: Your word "abysmal" certainly loads up the numbers that haven't been achieved with a certain perspective. It's clear to me that the numbers that were targeted haven't been achieved, and I don't know why they haven't. I don't believe the network model sets out to exclude the integration of a mixture of pertinent professionals. There certainly seems to be a predominance of medical doctors in the units that are operating to date. That seems to have been what has happened. I'm not sure whether that's necessarily a result of the model itself or if something else is going on there. I honestly don't know that at this point. I'm not sure if it's a limitation of the model that says therefore you don't get this cross-section and this integration, or in fact if it's attributable to something else; and I'm not sure what that something else is at this moment.

Mrs Dombrowsky: First of all, I'm going to qualify or perhaps try and justify my word "abysmal." There is a target that 80% of physicians in the province by the year 2004 will be participating in family health networks, and I think to date it's 3%.

Mr Brown: Maybe in a year or two I'd say abysmal. Right now I'm saying disappointing.

Mrs Dombrowsky: Yes, well, I'm going to say abysmal.

Mr Brown: OK.

Mrs Dombrowsky: Are you familiar with the review that was undertaken around community health centres to determine their efficiency, both financially and in providing services for the communities they serve?

Mr Brown: I've read synoptic comments on the review. I haven't read the review itself.

Mrs Dombrowsky: And what is your understanding from the comments that you read?

Mr Brown: My understanding is that there's something there that is a positive experience and it can be learned from.

Mrs Dombrowsky: And also that they should be supported more by this government than they have been.

Mr Brown: I don't know what the government relation to the centres has been to this point.

Mrs Dombrowsky: They've frozen funding, and the freeze was lifted so that two more could be established. But for the most part, the government has stepped away from encouraging that model of primary care service delivery. So I really am curious, when the government steps away from a model that very clearly—certainly the

people in the community who use them are very well-served and we have a review that would suggest that this is a very efficient way of providing primary care within communities. I'm just curious that the government has stepped away from them to promote a model that obviously even the stakeholders, even the service providers, are having a lot of problem getting on board, if you don't see this as a significant challenge in terms of really advancing primary care reform in the province of Ontario.

1130

Mr Brown: I would imagine that's certainly a question the opposition has put to government, and I'm not quite sure what the answer has been. It would be an inquiry I would be getting into myself. Certainly it's a challenge.

Mr Gravelle: Good morning, Mr Brown. The government continues to say that they are going to reach their goal of 80% of family practitioners enrolled in the family health network by 2004. I guess I have two questions related to that: (1) do you think that is realistic or achievable; and (2) has it been made clear to you that that is essentially why you've been asked to sit on the board as vice-chair? Is that your role, to try to reach that goal? Has that been said to you directly?

Mr Brown: I was certainly interested as to why you think I could do a useful job on this particular board. It's my understanding that my experience in working through changes of various levels of complexity in the past could be helpful; and certainly working with professionals, like doctors, who weren't necessarily engaging in a direction that, in my case, a college or for that matter the province wanted to go. So I think that's fair to say, that my appointment would have to do with the contribution I could make to the change process.

I'm sorry, the other part of your question?

Mr Gravelle: Do you think it's realistic?

Mr Brown: There need to be targets. As I understand, there have been two sets of targets, and they haven't been met. They've been well short of being met. I understand there's some discussion as to what are the actual raw numbers of eligible doctors you should be considering. Are there 9,000, 6,000—what are they? I need to understand more about that. Clearly, the significance of target-setting is important, and my initial learning has to be what's going on with the numbers.

I've seen, again, just from excerpts in the newspaper, people dealing with the numbers. For the life of me right now, I honestly don't know whether it's 80% of 6,000 or 80% of a higher number or if in fact that hard number of 80% is realistic. I don't know. In order to make a reform initiative work, clearly, a significant number of physicians and other professionals need to come onside on a regular basis over a term, one, two or three years.

The Chair: We now move to the third party.

Mr Martin: Thank you very much, Mr Brown. On a number of occasions this morning you referred to the Sault Ste Marie experience and the group health centre. It's my community, and I'm certainly very familiar with the group health centre operation and its history—

established by the Steelworkers of America back in the 1960s when their members and families were having difficulty accessing timely health care at that point in time, even through the insurance that the company was providing. So they established this hybrid that has evolved over the years and worked with various stripes of government, never really, even with our own government, rising to a point where true recognition of their accomplishment was understood and given support. They always seemed to be this round peg being put into a square hole. Even today, that continues to be the difficulty.

We've had a good session of questioning with the Liberal caucus members on the more general family health network challenges and the fact that we're not hitting the targets, we're not meeting the timelines, and we're still struggling. I guess what frustrates many of us in the Soo is why they can't see that we have a model up there that actually works, that doctors are actually now coming to voluntarily. Just in the last couple of months, there was an announcement of at least a few more doctors coming and taking their patients with them and joining the group health centre. Do you have any idea why something that's working so obviously, that's incorporating all the things that the Ontario Family Health Network seems to be wanting, which is a bringing together of the various professionals, a huge emphasis on promotion and prevention in the health care field, yet we can't seem to get—they're still negotiating their contract, and they have been for years. They can't get a contract signed that has multi-year pieces to it.

Mr Brown: The first part of your question dealt with did I have any idea as to why the Soo is successful?

Mr Martin: Yes.

Mr Brown: Certainly my understanding of the Soo community is it's absolutely exceptional in Ontario in its nature and doubtless in the evolution of a health support system like this. I don't know what would be replicable coming out of the Soo experience elsewhere in the province. Clearly, they've made volunteerism work and that's the key. It certainly is my experience that no matter how good the idea, if up front any number of professionals is resistant to it because you're simply saying, "It will be better for you, but trust me, go with it," it won't work.

I would certainly want to understand the growth cycle. If you're talking back to the 1960s—and it has taken I don't know how long for the experience at the Soo to have actually matured to where you're saying, "That's how we do care in our community." Clearly, it didn't take some 40 years. It happened well before that. So certainly the growth cycle needs to be looked at. The understandings that would come out of the Soo experience, to my mind, really do need to be put on the table and contemplated for their value elsewhere in the province. I think the trick will be getting in and coming to grips with the nature of volunteerism: while that's a good thing, why isn't it working? It clearly is not working the way we would like it to work to date. It has evidently worked in the Soo, with more coming onside. As I said earlier, it

evidently is working in some of the networks elsewhere in the province—reading about the Oakville experience and the new networks in Stratford, London and Norfolk. So I don't know. I'd like to talk to professionals and say, "Well, in terms of what brought you onside, why?"

There are clearly profound learnings to come out of the Soo situation, but I don't know how applicable they would be to the broad province, given the unique situation that we've had in the Soo over the past 35 or 40 years.

Mr Martin: Frankly, I don't suggest for a second that I do either. But there are 40,000 people rostered—my family are six of them.

Mr Brown: It's wonderful.

Mr Martin: It is—and a significant number of doctors. But in talking to the board and the executive director re what's getting in the way, it seems a political system that's been in place for a long time where you have silos, where in health care, money goes to hospitals and to doctors and then if there's anything left over, maybe there'll be some money for health promotion to support other professions in the area, and where the group health centre has brought together a number of professionals to work co-operatively and where they have in fact established themselves as a leader in putting on programs for the community in health education, health promotion—they've developed the women's health centre that does a whole lot of work in the area of women's health out in the community and provides all kinds of ancillary services to seniors, for example.

They have an arm of the group that provides nursing care to seniors particularly, who are in their own homes and are rostered but who just need to—for example, my mom and dad. Every now and again, a nurse pops in just to make sure they're looking after themselves, in terms of their blood pressure and that kind of thing. Usually they have a cup of tea and then they move on, and then everybody's relatively comfortable. This report goes back to the doctor. They don't have to make a visit.

But in the discussion that's happening, apparently a lot of that stuff is going to be cut out if we move to this family health network approach, because it's driven by doctors. My read of it is if the money isn't going to the doctors, then it's questioned. All these auxiliary services that are so important in terms of health promotion and prevention either get dropped or there's a new fee.

1140

The discussion now in the Soo in some respects is how are we going to apply this new fee for things that people took for granted that were free before? Will it be 40 or 50 bucks one time every year or will you charge each time they come in or whatever? It's quite disconcerting, given that we've come 40 years to a point where we can, in fact, afford to do this and it's very helpful in terms of people's prevention of major health things happening, and we're not able to achieve that. I would suggest that if the group health centre—we've been told over the last year or so that an agreement is imminent, that it'll be next month or in three months or whatever. But just as in

the Ontario Family Health Network, where we need this many doctors doing this and this is the timeline, we never seem to hit the targets. It's frustrating for the community that knows we have a model that has been looked at by people from around the world, and yet in our backyard—what is it they say? It's hard to be a prophet in your own land. It's just really difficult.

In your appointment and your obvious focus, at least somewhat, on the Soo model, might you be able to shed some light—or maybe I would invite you to come to the Soo. I'd arrange myself for you to get a full tour of the place. I've toured probably hundreds of people through that place in my 12 years in this job and would be happy to have you come, on your appointment—and chances are you're going to get it today, I would guess—to the Soo and meet with the officials and see what's going on there so that you could bring that back to the job that you're going to have in front of you, which is really important, in my view, as we try to reform the delivery of primary health care in the province. There's a lot of stuff there. Maybe you can respond.

Mr Brown: I'll certainly take you up on that. My own learning is clearly—I have to selectively go about figuring out what it is I need to know and how I best should get it. Clearly understanding what the contribution from the Soo model would be to that is something that I'd be happy to go about getting first hand.

The Chair: The time has expired. Thank you very much for being with us, sir. I should note that there has been a withdrawal. I think we may all have a copy of this memorandum?

Interjection: Yes.

The Chair: We do, OK. The Ministry of Health and Long-Term Care proposed appointment to the Council of the College of Medical Laboratory Technologists of Ontario, Jaintien Dookie, has been withdrawn, just so we're aware of that.

We have two items left. We have to proceed to consideration of the intended appointments today, number one, and number two, we have another matter to discuss regarding CCACs. Let's begin with the appointments review. The first is Betty Moseley-Williams, intended appointee as member, council of the College of Physicians and Surgeons of Ontario.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Any discussion of this appointment?

Mr Martin: Even though I have some concern re her political affiliation, I really believe that Betty will do an excellent job, as she's done in everything else that she has taken on in her life, so I'll be supporting this appointment this morning.

The Chair: Any other comments? If not, we will call the vote.

All in favour? Opposed? The motion is carried.

The next intended appointee is Doug Lewis, intended appointee as member, Consent and Capacity Board.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Any discussion? If not, I'll call the vote.

All in favour? Opposed? The motion is carried.

The next intended appointee is Peter D. Brown, intended appointee as member, the Ontario Family Health Network.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence of this appointment. Any discussion?

Mrs Dombrowsky: I'm very concerned about this appointment and I'm not able to support Mr Brown today. I have to say that I was rather surprised, really, with his lack of understanding of the kinds of primary care service models that are out there today. I just got the sense that he was going to go and he was going to do what he was told and make it work, or certainly make it appear that it was working. I really was not encouraged by his lack of commitment to consider some other models that had been working well, that had been reviewed, and where it's been very clearly indicated that these are areas and directions that the government should be supporting. So for that reason I'm not able to support Mr Brown this morning.

The Chair: Any further comment?

Mr Martin: I'm certainly concerned as well, but on the flip side of that, hopefully he's not stuck in a place and will be open to the possibility of new ways of approaching this. I don't think the government has got it right yet and that's why they're not hitting their targets and that's why they're not meeting their timelines.

We have in Sault Ste Marie a model that has worked and that people from across the world have come to look at and have been very impressed by and in some instances amazed at. If somehow this appointment has an open mind, and I'm hoping that he will, and I'm guessing that the four members across the way will be supporting his appointment, he will in fact come to Sault Ste Marie and have a look at what we're doing there and bring what he finds back with him to the board that he's been appointed to and impress upon them, and of course the government, which ultimately makes the decisions—because right now we're left somewhat twisting in the wind in the Soo in that we haven't had a contract for the longest time to indicate that the government understands what they have there, the potential for a model there that's very exciting and could be applied across the province. Maybe this appointment will be impressed enough and have enough influence in government that we will see a time when the group health centre will get its contract signed, the new contract will not take away from what it already does so well and try to continue to shoehorn a round peg into a square hole, and that we will have an ally here who will make that argument with us. So I'll be supporting this appointment this morning for that reason.

Mr Gravelle: I would like to echo some of the concerns expressed by Ms Dombrowsky. One of the opportunities that we have here, which is terrific, when appointees come before the board, is to actually at least

impart to them some of the concerns we have and hope that they listen. Indeed, with Mr Brown and with the other interviews this morning, we were able to do that. But I was a little startled by his lack of awareness of the community health centres. One got the impression that certainly he's being put in the vice-chair position to try and achieve a goal that the government has, as opposed to truly being open. So I don't share Mr Martin's optimism on that. Based on that, I will not be supporting it as well.

The Chair: Any further comment? If not, I'll call the vote. All in favour? Opposed? The motion is carried.

All intended appointees today have been confirmed by the committee.

COMMITTEE BUSINESS

The Chair: We now move to agency review proposals, and I'll start with Mr Wood.

Mr Wood: I wonder if I could kick off the discussion by amending the motion that I made at the last meeting.

My amendments would add, after the words "CCAC and," "that one half hour be provided for opening statements," and after "briefing of the committee," that "three hours" be deleted and "four and a half hours" substituted.

So, if I may speak to it, the net effect of all of that is adding half an hour for opening statements. That's based on a number of comments received that there's an interest in making opening statements, and the concern was expressed that not enough time was allocated. So what I have done is suggest the average of our last three reviews, which is about four and a half hours, be the time available.

The Chair: Thank you very much. He has amended the motion. So that's on the floor as an amended motion, and I'll entertain discussion. Mr Martin, you have a hand up.

1150

Mr Martin: Yes, first of all I want to indicate to staff that I appreciate the work that was done to provide us with some further information to help us in this decision that we're making here this morning, and to suggest that I'm OK with the amendment that Mr Wood has put forward. In order to really bring me on side, to be supportive, if he would entertain the possibility of at least bringing forward in that same time slot at least one more CCAC so that we could get a variety of experience. I think the member from Thunder Bay-Superior North is going to suggest another CCAC that he'd be willing to support bringing forward. If we could agree with that, then I'd say we're on our way here.

Let me just put it again that we would agree to bringing forward two CCACs for a review using the timelines that Mr Wood has placed in his amended motion to the committee.

Mr Gravelle: Certainly we would always like more time. I appreciate, Mr Wood, that you've made some adjustments. I would indeed like to amend the motion, or whatever it is, but certainly ask for your thoughts on

whether we can bring forward the Thunder Bay and district community care access centre. I think it serves a large part of northwestern Ontario, and obviously there's been some major concerns about the funding allocation in terms of whether they're meeting the needs. Certainly since the Community Care Access Corporations Act was brought forward, we have not heard as much from that part of the province. I just think that they would provide really useful and additional points of information. So I would very much like that. Mr Martin is agreeable to have them both in at that time frame; that would be great. So if you can agree to that, I think we can have a very interesting day.

Mr Wood: We feel that we should do them one at a time. We would like to see how we do on one without ruling out the possibility of doing another one once we've done the first one. So we would not agree to that going into this motion. We do not rule out the possibility that that may be a desirable thing to do in the future. We'd like to see what comes of our first review before addressing the question of reviewing a second one.

Mr Gravelle: Can you go a little further than that and say that you would agree to or be disposed toward bringing forward a second one? I must admit I still think we can manage to get them both in the one day.

Mr Martin: That was my intention. My intention—I'm sorry if I misled—was that we would bring Sudbury in, using the timelines that Mr Wood has put forward, and that we would also on another day bring another CCAC in using the same formula.

Mr Gravelle: Maybe it would be better in terms of time, because we are concerned about the time. I guess I would like to have, if you can, a stronger sense that you would seriously consider bringing in a second community care access centre, and obviously the one I would like to bring in is Thunder Bay.

Mr Wood: We seem to have agreement on what to do on this particular one, on the Sudbury CCAC. Our view is, we'd like to see the results of that review before we offer further comment on whether or not it's necessary to do a second review. So we're not agreeing with you and we're not disagreeing with you. We're reserving comment because we want to see the results of the first review.

Mrs Dombrowsky: I'm just curious: what would you be looking for in the results, Mr Wood?

Mr Wood: Well, I don't want to prejudice my formation of opinion by offering comment now. I'd like to hear what these people have to say. I'm looking for anything that might achieve better results from CCACs generally in the province and particularly from the CCAC that we're going to review. So I can't say more than that. I can't anticipate what these people are going to say to us—anything of interest that would make for a better CCAC in Sudbury, or for that matter would apply to any CCAC in the province.

Mrs Dombrowsky: So would this be something that we will consider at the next meeting of this committee?

Mr Wood: Well, my view is that I would like to see the results of this review and then consider whether or not we should review another CCAC. I am not prepared to come to a conclusion whether a second one should be reviewed until I see the results of the first one.

The Chair: Does anybody else have anything to say?

Mr Gravelle: I get the impression that obviously if we push this forward, you won't agree at this point. I think it is very important—I'm sure Mr Martin would agree, and Ms Dombrowsky would agree, that we do have—and certainly the Sudbury and district CCAC is a very important one to bring forward. We want that to happen. Clearly we believe there should be another one brought forward, and Thunder Bay is my suggestion. It isn't necessarily the only one that should be brought forward. If indeed we're not going to be successful, I don't want to scupper the process. From the point of view of being realistic, I want this to go forward and want it to happen very soon. I guess I'm willing to back off at this time in light of the fact that I'm not likely to win the day, in terms of pushing it right now. I'm not sure if everybody on this side agrees with me.

This has been going on for a long time now. I was trying to bring this forward. Certainly the Sudbury one will be a very good one in terms of bringing forward some of the issues. I'm willing to back off, as long as there is a commitment on your part that you would consider moving forward another one after we complete the review of the Sudbury one.

Mr Wood: My mind is open at this point on that question. I will be influenced by what we hear and decide in our first review.

Mr Gravelle: That's a very interesting comment.

The Chair: Any further comment?

Mr Martin: I agree with Mr Gravelle. In the spirit of co-operation, I think that we would move quickly to get Sudbury in here, using the timelines that Mr Wood has suggested. I hear him, and it's in Hansard, a commitment to considering another, if it's deemed necessary by the committee that we look at another one after having reviewed Sudbury. Sometimes I think it's important to have a look at more than one if you're identifying some difficulties or challenges in a system at that time.

It may not be Thunder Bay. It may be that we decide that there's a CCAC in a more southern Ontario urban setting that we need to look at. I'm in agreement if Mr Wood is, and I think he is because he tabled the motion, that we move forward, with the proviso, and it's in Hansard, that we would look at a second, as we go through this first one.

The Chair: We've had a good discussion of this. A consensus appears to have been reached. Mr Wood, we thank you for some of the work that you have done on this, and other members of the committee who have offered their opinions. Any further comments before we conclude?

Mr Wood: I presume we're going to have vote on my amendment and then on my motion.

The Chair: That's exactly what we're going to do. Would you repeat the amendment for us?

Mr Wood: The amendment is that after the words in my original motion, "CCAC and," that this be added: "that one half-hour be provided for opening statements," and after the words, "briefing of the committee," that "three hours" be deleted and "four and a half hours" be substituted.

The Chair: Does everyone understand the amendment? We'll have a vote on the amendment. Is that how we're going to do it? A vote on the amendment and a vote on the full?

A vote on the amendment, first of all. All in favour? Carried.

Now a vote on the amended motion. All in favour? It's carried unanimously.

We thank the members of the committee—

Mr Wood: May I offer a very brief comment just to set out how I think this should be done? My idea is that each party has an hour and a half that they can decide who we're going to hear. Within that, the time for questioning is divided three ways. So the New Democratic Party may say, "We want to hear from Mr X for one hour," and that's then divided three ways. But that hour and a half is yours. If you choose not to use it, that's fine; it's just deleted from the time available. Same thing with the opening statements, obviously. With the questioning and the report writing, I don't think dividing that up makes any sense.

Mr Martin: Again, if we're bringing people in here from a distance, if we're taking full advantage of the time, if we don't use up our time, I would hope others would take up that time. If the Conservative caucus decides not to use their time, as they often do here on Wednesday mornings, that time would then be allotted to the other caucuses to use if the others decide that they—in the interest of maximizing the use of the time and resources being put to this effort, if we're bringing in somebody from Sudbury and we have a four-and-a-half-hour window and one group decides they're not going to use their time, the others could divide that time up and use it so that we don't waste it.

1200

The Chair: Mr Wood, any reaction to that?

Mr Wood: I think it should be divided three ways. I would suggest, however, if there are good witnesses, to let us know. We're certainly open to good people to bring forward.

Mr Gravelle: I think Mr Martin's suggestion makes a great deal of sense. We're going to be bringing people in. We're going to be having a great opportunity. I would certainly like to think the government caucus will use their time, but if they don't, it makes great sense to make sure we use the time. I can assure you that we would love to have the opportunity to have more time. So if we can agree on that—the government caucus obviously has the option of using their time, but if they don't, it would be in the spirit of fairness, especially to the people who are coming down, to have that time given back to the other parties to use.

The Chair: It would require consent of the three parties represented. The normal procedure in this committee is that time is allocated on an equal basis to each of the parties when we have, for instance, a review of appointments, and if one of the parties chooses not to use its time, normally what happens is that that is not allocated to anyone else. The only exception is that when we have an appointee, we are supposed to subtract the appointee's time from the government caucus's time. That's the only change we make. So it would certainly require the consent of all members of the committee were we to depart from that normal procedure.

Mr Wood: I would suggest, if the opposition parties have people they want that they don't have enough time for, that they speak to us and we'll see if we have any extra time.

The Chair: That's a nice offer. It's an offer that we have there, at least.

Mr Martin: I would hope that that would be the spirit we would move forward in. My hope is that you will participate as fully as we in the questioning of the witnesses, whoever brings them forward, and that we will take up all the time. But if, for example, I run out of questions or things I need to put on the record with regard to this, my wish would be that others would take that time up and use it productively. I guess my hope is that you would want to do the same as we go forward.

Mr Wood: We're open to good suggestions.

The Chair: If that happens, I will simply put it before the committee at the time. If there's a request for time to be changed in any way, I will put that forward.

Any last comment before we head out?

Mr Gravelle: I just wonder when we're going to do this, Mr Chair.

Mr Wood: Let's leave it to the clerks to arrange, but I would suggest we want to have a reasonable flow. We've got four and a half hours to hear people; we shouldn't do it for half an hour over nine weeks. I think we should have a day and a half or two days, whatever it works out to be—three, I guess, actually—where we do it. We don't want to have it chopped up into nine different segments. So I think we should think in terms of a reasonable flow of hearing people once we get started on it.

The Chair: And we may wish to adjust our starting times as a result of that. It would be helpful in that regard.

Clerk of the Committee (Ms Anne Stokes): Could I just clarify this before we move on? So we're going to have one half-hour for opening statements, and that's divided among the three parties?

Mr Wood: Yes.

Clerk of the Committee: And then one half-hour for briefing of the committee?

Mr Wood: I think questions to the researcher is what that comes down to.

Clerk of the Committee: OK. And each party will then provide me with a list of people they would like to set up an appointment with to come down and spend, for each party, an hour and a half in front of the committee.

And I can set the time, based on when they are available, in our regularly scheduled committee meetings.

Mr Wood: Yes.

Clerk of the Committee: And would we mix it in with intended appointees to agencies as well?

Mr Wood: I would suggest that if we chop it up into nine different things, you lose all flow of what's happening. I would suggest two or three days where we—I'm not saying you might not have one review or two reviews here and there, but if we lose the flow of it, it makes it very difficult to follow, I think.

Clerk of the Committee: So if, for example, we started at 9 in the morning, we'd have—

Mr Wood: No, no. We're not going to start outside—we've got two hours to do this. We're starting at 10 and we're ending at noon.

Mr Gravelle: Surely we have some flexibility in the starting times.

Mr Wood: Maybe. That's a matter that would have to be dealt with—

The Chair: That would be a matter to be dealt with by the subcommittee of the committee.

Mr Wood: If indeed we're authorized to do that.

The Chair: If there are any requests for that. Our normal meeting times are 10 am to approximately 12 noon. That's our normal time.

Mr Wood: I think, properly organized, that can be done.

Mr Martin: We have met, though, Mr Wood, at 9 o'clock when we've had a large—

Mr Wood: I'm not precluding it. I'm just saying that has to be dealt with.

Mr Martin: I'm suggesting that if it comes down to absolutely having to cover two bases in terms of having to do one or two appointments so that they don't get pushed into the netherland, we might want to consider that. So I'm hoping that we can talk about that. I hear you saying that we will consider the possibility of some—

Mr Wood: I'm not rigid on it. I'm just pointing out that's where we start from, let's work out what's needed to get it done.

Mr Martin: OK. When we bring forward the names of intended witnesses, is it the clerk's job, then, to contact those people and make the arrangements for them to come forward?

Clerk of the Committee: However the committee advises me. If you'd like me to make the appointments, if you want to come forward with names—it's up to you.

The Chair: In my view, as Chair, that would be the best way of doing it, that the members of the committee would submit the names to the clerk and the clerk would do the actual contacting, so that it's done by a neutral person who serves all of the committee.

Mr Martin: Yes.

Mr Wood: I agree with that.

Mr Gravelle: I think that's great.

The Chair: Any further business or discussion? If not, I'll entertain a motion of adjournment.

Mr Wood: So moved.

The Chair: All in favour? Opposed? The motion is carried. Thank you.

The committee adjourned at 1206.

CONTENTS

Wednesday 9 October 2002

Subcommittee reports	A-73
Intended appointments	A-73
Ms Betty Moseley-Williams	A-73
Mr Doug Lewis	A-78
Mr Peter Brown	A-82
Committee business	A-87

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Wayne Wettlaufer (Kitchener Centre / -Centre PC)

Mr Bob Wood (London West / -Ouest PC)

Clerk / Greffière

Ms Anne Stokes

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

CA20N
XC19
- G52



A-6

A-6

ISSN 1180-4335

Legislative Assembly of Ontario

Third Session, 37th Parliament

Assemblée législative de l'Ontario

Troisième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 16 October 2002

Journal des débats (Hansard)

Mercredi 16 octobre 2002

Standing committee on government agencies

Intended appointments

Comité permanent des organismes gouvernementaux

Nominations prévues



Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 16 October 2002

Mercredi 16 octobre 2002

The committee met at 1000 in room 151.

The Chair (Mr James J. Bradley): I'm going to call the meeting to order this morning. There are a couple of housekeeping items. First, I have to ask unanimous consent of the committee to extend the deadline for consideration of Peter Zakarow, intended appointee to the Ontario Rental Housing Tribunal, until October 23, 2002, because he was unable to be here when he was scheduled.

Mr Bob Wood (London West): So moved.

The Chair: It is moved by Mr Wood. All in favour? Opposed? Carried.

The second one: I ask for unanimous consent of the committee to extend the deadline for consideration of Watson Slomke, intended appointee to the council of Dental Technologists of Ontario until October 30, 2002. Again, Mr Slomke was unable to make it at the scheduled time.

Mr Wood: So moved.

The Chair: Mr Wood has moved the motion. All in favour? Opposed? The motion is carried.

INTENDED APPOINTMENTS

PHILIP CLAY

Review of intended appointment, selected by official opposition party: Philip Clay, intended appointee as member, Consent and Capacity Board.

The Chair: The first intended appointee is Philip J. Clay, as member, Consent and Capacity Board. Mr Clay, you may come forward. As you know, you have an opportunity, if you choose to do so, to make an initial statement, and then there will be questioning from each of the parties represented on the committee. Welcome, sir.

Mr Philip Clay: Thank you, and good morning. Yes, I would like to make an opening statement.

Thank you for the opportunity to appear before you to review my background and qualifications and to address any questions you may have concerning my intended appointment to the Consent and Capacity Board.

I was raised in the Sudbury area. I received my BA from the University of Toronto. I then moved west and took my law degree at the University of Saskatchewan. At that time I was most interested in practising criminal law and I did my major paper in law and psychiatry. It

was in that class that I first had the opportunity to attend psychiatric hospitals and even detention centres for the criminally insane. It was an eye-opening experience.

I moved back to Ontario and was called to the bar in 1983. I began practice as a sole practitioner, joining a firm in Hamilton in 1984. My practice was a mix of litigation work, including criminal law, family law and general litigation as well as some wills and estates work. In the mid-1980s, I took courses in mental health law and was added to the legal aid panel of lawyers who were prepared to represent psychiatric patients before what was then the review board. I argued a number of cases over many years.

In 1988, I was appointed as a panel lawyer to what is now the Office of the Children's Lawyer. I continue to represent children in custody and access cases and child protection cases.

In 1993, I received training in family mediation and added mediation to my practice. I took advanced training and am now recognized as an accredited family mediator by the Ontario Association for Family Mediation. Over time, I was asked by my colleagues to act as a facilitator at private settlement meetings. I am also a settlement conference facilitator for the Ontario legal aid plan. I have conducted private arbitrations in family law matters. I have received sworn evidence from witnesses, made rulings and rendered written decisions. I developed an interest in applying mediation in child protection cases and made a proposal to do that back in 1996. Finally, in 2001, a project began in the Hamilton area and I have now completed successful mediations with the children's aid societies, parents and other potential caregivers as equal parties at the table.

I have been active in my professional associations. I am now a trustee of the Hamilton Law Association, having chaired the family law subsection and presented at various seminars. I am a member of the liaison committee of the Superior Court, Family Court at Hamilton, and I have taught family mediation at McMaster University since January 2000.

My volunteer work is set out on my CV. I feel very fortunate to have had the opportunity to chair our local Big Brothers Association in Hamilton, as Hamilton pioneered in school mentoring, a program that has been very successful and is now available across the country. I had the opportunity myself to mentor two young children in the school system. I am involved in a leadership role in

activities with children and youth in my home community.

While I very much enjoy my private practice, I have always looked for new challenges. I have had an interest in mental health law since law school 22 years ago. In my family law practice, mental health issues often present themselves and are the subject of custody-access assessments and parenting capacity assessments.

The Consent and Capacity Board is asked to adjudicate in a very difficult and critically important area. It must balance the competing interests of the safety of the patient and the community, and the right of an individual to make his or her own decisions and to enjoy the freedoms that are the hallmark of our society.

I was most impressed with the process that is required of all lawyer applicants to the board. I was required to render a decision based upon a set of facts that were sent to me. I was then required to attend a lengthy interview that had as its focus a critical analysis of the decision I wrote. In my case, the interview was conducted by the chair of the board, Michael Bay, and board members John McNair and Catherine McNamara. I understand the interview results are submitted to the ministry before any decision is made concerning an appointment.

I think it is important that those serving on the board have the requisite skill sets to be able to listen effectively, act impartially, think critically and judge fairly. I believe, if appointed, my background and experience will equip me to do this. I look forward to your questions.

The Chair: We begin our questions with the official opposition.

Mr Michael Gravelle (Thunder Bay-Superior North): Could you give us some more details in terms of how the appointment came about, in terms of your contacts? You're right, I think this probably is increasingly one of the more challenging boards to be sitting on in terms of the decisions that are being made. There have been some real changes, obviously, related to mental health, particularly Brian's Law. Could you begin by simply telling us about the process that led to the appointment? Did you ask for the appointment?

Mr Clay: What really happened was that I've become known in the Hamilton area for mediation and for becoming interested in mediation in what is sometimes described as dependency situations, or situations where vulnerable people are mediating with agencies or groups that are seen as having a more dominant position; that's the child protection mediation I began doing.

In the course of this, I had discussions with a colleague, John Harper, vice-chair of the board. He was interested in the work I was doing in the child protection field. I also knew a mediator, Trish Muldowney-Brooks, who also sits on the board and whom I had sat on the board of Big Brothers with. We had connected over the years with respect to mediation work and things we were doing.

It was mentioned to me that the board was looking at mediation and alternative dispute resolution as a way of addressing some of the types of cases that might come

before them. It was suggested to me I should put my name forward to sit on the board and that with this project, which as I understand is coming about, having potential board members with mediation experience might be useful in that endeavour.

Mr Gravelle: Who did you hear from? Who finally contacted you related to the position being available, or who asked you to sit on it?

Mr Clay: It was John Harper, whom I spoke to some time ago regarding this. I told him I would be interested. I submitted a CV to start the process.

Mr Gravelle: Your experience would obviously appear to be very useful and apt for the position. We've had other people who have appeared before us related to the Consent and Capacity Board, and I think everybody recognizes how difficult it is.

How familiar are you with Brian's Law? There have been some real changes, which leads us into the whole issue of community treatment orders. It was certainly one of the more difficult decisions all of us made in the Legislature, related to the passage of that particular legislation. So I'm curious how familiar you are with it, if indeed you are—I'm actually presuming you probably have some familiarity with it, based on your own background—and whether you think it has been effective or a useful piece of legislation and whether it's working.

Mr Clay: I'm familiar with the legislation. I'm familiar with the debate that went on at the time of the legislation coming forward. As you note from my background, I have not been involved directly in the implementation of mental health decisions recently, so it's difficult for me to comment as to how effective it has been relative to the situation prior to Brian's Law being passed. But in general terms I see it as a measured and careful response to very serious situations. The opportunity to have people receive treatment in the community and be mandated to do so and to have steps taken if the treatment is not taken I think is a good balance.

1010

Generally, mental health law has changed dramatically over the decades from the point where, historically, people with mental disorders were put away, if I can put it that way, and we've moved in a measured way to balancing interests and balancing safety against civil liberties. I think that Brian's Law achieves a sensitive balance between those two competing interests.

Mr Gravelle: The people who are going to challenge decisions that are made are people who in essence are saying that their right to make decisions for themselves or right to make choices about their own lives is being obviously challenged, and that's why they would want to fight those decisions. I know it's probably difficult to answer unless you're talking about a specific case, but how do you find a way to balance the information received from the psychiatrist, from the professionals or from the family? Perhaps, again, with your skill set you might be able to discuss it. How do you find that balance in making that decision? Do you lean more strongly based on what you think the psychiatrist perhaps in this

case might say? Can you give us some insight into how you work and try to render a fair judgment?

Mr Clay: I think you're right, sir, in that before you begin any case, you've already had, in the case of a review of involuntary status, for example, a psychiatrist determine that the patient should stay in a mental institution. It's already beginning from that viewpoint. However, the Legislature, in passing the mental health laws we have and in creating the Consent and Capacity Review Board, now the Consent and Capacity Board, recognizes that the types of decisions that are made are judgments. Any psychiatrist would admit that it is impossible to predict future behaviour. What you do is you base things on the best diagnosis you can. Past behaviour is predictive. But it's impossible.

The psychiatrist making determinations is making a judgment. They're making a judgment based on the facts available to them. Our law permits the patient, quite properly, to have that judgment reviewed. In reviewing the judgment, you may have additional facts that aren't available to the psychiatrist who may sign that certificate of involuntary status, and you must weigh all of the evidence. I think all of the evidence is to be accorded weight. I think you need to listen to all of the facts in terms of what the plan for that patient is.

It's important that the boards include a psychiatrist as well so you have somebody sitting with you who has the expertise to understand the psychiatric diagnosis and the possibilities. But the community member, the lawyer member and the psychiatrist also have to weigh all of the other facts that the family members and others would put forward. So it is a judgment; it is a weighing; it is a balancing.

I think that it was important, as I indicated in my opening remarks, that I had the opportunity to do that in a complicated and difficult set of facts that I had to write a decision on for the board.

Mr Gravelle: Let me ask you, if I may also, for your thoughts related to the way that people with mental health problems are treated in general in the province. We know that there has been a cutback in the number of beds available across the province and obviously in acute care, mental health care and everything else. We also know, certainly based on speaking with police officers across this province, that one of the concerns they have is that a lot of people who have mental health problems end up in the correctional system, as opposed to getting the kind of help they need. I would like to know your thoughts on that. It certainly strikes me as an indication that we're not putting our priorities where we should be, that still somehow mental illness is not considered as important an illness perhaps or a priority as other illnesses are. I think there are some real tragedies as a result, and we've heard them. So I'm curious as to your thoughts on that one, whether you are conscious of that reality and whether you think that there should be some shift in priorities in order to change that. Certainly it seems to me that having people with mental health problems going to the justice system is wrong.

Mr Clay: I would certainly agree from my experience in criminal law that many of the people who do come before the criminal courts have mental illness and emotional disturbance. Sometimes it's difficult to distinguish whether somebody really is mentally ill or what the presenting problem is.

I don't think I'm in a position to comment generally on the allocation of resources that the government should make to mental illness but I would say that I think it's a given that treating the most vulnerable members of society has to be a priority for any society. Patients with mental illnesses are vulnerable, and we know that many, if not most, of the homeless people in our society suffer from mental illness.

I have in my practice in dealing with young offenders, with youth in the children's law system and with the parents of children who come into the child protection system, addressed on many occasions people with mental illness and their challenge to find resources. I think it's a balancing between what you can do in the psychiatric hospitals and what you can do in the community. I think that more work in the community allowing people the dignity to be able to live in their own homes—because as much as a society we try to eliminate the stigma that comes with mental illness, I think it's probably fair to say that more than other illnesses, people with mental illness are stigmatized. I think we have to be conscious of that and do what we can to have these vulnerable people in our society live with dignity.

Mr Tony Martin (Sault Ste Marie): I'm just fascinated by your last few comments. I couldn't agree with you more. I don't think government has any greater responsibility than to look after those who are most vulnerable and at risk in this jurisdiction. In this instance, we have people who are mentally not well counting on us to make the right decision on their behalf. So it behooves us in any way that we can to make sure that those who are put in positions like the one you're applying for here this morning understand the gravity and the seriousness of the appointment. Some of us here like to know what a person's basic approach to this is, where you come from, what your position is on a wider scale, a more global scale, toward this kind of thing. I've been listening and I'm certainly happy with the responses that you've been giving and your obvious understanding of what it is we're trying to do here. As you've indicated, the discussion around Brian's Law was very difficult for many of us and at the end of the day it was a gut-wrenching decision whether to stand for or against. Our caucus split on it, it was that difficult.

I'd be interested in your view of where we've come as a government, not just the present government but as governments over the last 10 or 15 or 20 years, with respect to people with mental illness and what we've done wrong and what we've done right.

1020

Mr Clay: I think that what we've done right as a society—let me put it that way because over the last 10 or 20 years all three parties have had the opportunity to

govern—is allow people with mental illnesses to live in the community. If you go back to the 1960s and the period before that, mental hospitals were where people who were diagnosed with mental illnesses went to live. Family members would visit with them, but they wouldn't be part of the community. In having people released from psychiatric hospitals into the community, the challenge is to provide the resources and the follow-up for those people. As the previous questioner indicated, many of those people do fall between the cracks in terms of appearing in the criminal courts. So I think it's struggling with that balance, between allowing people the dignity to live in their own homes, to be able to lead their own lives.

The reality is that the difference between somebody who is potentially a violent criminal and somebody who is a productive member of society holding down a job can be whether they're taking their medication or not. It's a line. The development in terms of the types of medication and treatment should allow people more of an opportunity to live their own lives, not confined to hospitals. But I think for the protection of society, we have to have some measures in place to ensure that people take their medication and are managing their illness. So it's a question of follow-up. Ideally, fewer people confined involuntarily and more people in the community followed up properly and leading productive lives is the goal that everybody's striving for. It's a question of how you get there.

Mr Martin: What responsibility do you think government has in terms of that community support that is obviously required in many instances to make sure that somebody lives in a safe and comfortable environment regardless of their condition?

Yesterday an inquest started in Sudbury where a young woman died while under house arrest because she abused the welfare system, according to the rules that were implemented some three, four or five years ago. She collected welfare and also applied for and was successful in getting some loans through the OSAP program. It turns out, in the evidence that was given yesterday, that she had some mental health difficulties and probably overdosed because of that. What could we have done? Who is responsible there to put her in that kind of circumstance with her condition such that everything coming together the way it did—I don't know if you've followed it or not.

Mr Clay: I'm generally familiar. I recall at the time the tragic for somebody with a mental illness, death of this woman in my hometown of Sudbury. I haven't followed the specific testimony.

Again, not knowing the specific evidence from yesterday but just speaking generally, it's always very difficult to know whether somebody is suffering from a mental illness. Some people are followed up by their physician and there are diagnoses and histories and things. In other cases, often you find out about whether somebody has a mental illness from what they've done or not done, as the case may be. That's a challenge. In one sense, the ability

to have house arrest rather than incarceration could be viewed as a positive thing for somebody with a mental illness—it's not necessary for the state to incarcerate someone—but, then, where's the follow-up?

I can't speak specifically to this particular case, as to whether it was known and follow-up was not provided, but certainly there's no shortage of tragic events that can happen to people with untreated mental illness.

Mr Martin: Do you think it's appropriate to throw people who are in need both physically and mentally into the criminal justice system?

Mr Clay: I think the criminal justice system has to respond to criminal acts, so if a crime is committed, that's a matter for the criminal justice system. Once the person is in the criminal justice system, one of the things is to determine their capacity to stand trial. One defence that is available to someone in the criminal justice system involves a defence that is based upon their mental state at the time.

In terms of the police making the arrest or dealing with the safety of the public, they can't make the determination on the scene as to, "We won't proceed with criminal charges here because clearly this person has a mental illness." They could have an emotional disturbance or be doing something crazy that is not related to a mental disorder but may be related more to anger management or emotional disturbance. So it's not at that point, when they're put into the criminal justice system, that the decisions are made. But the system itself, through the use of remands to obtain psychiatric reports, through defence counsel bringing forward the situation that the accused is facing, has to respond to the offender who is before them, as an offender found guilty of the offence.

I think it's inevitable that people with mental illnesses are going to come into the criminal justice system. It's a challenge to the criminal justice system as to how they are dealt with.

The Chair: We now move to the government caucus.

Mr Bert Johnson (Perth-Middlesex): I just had a short statement. I was impressed with your list of contributions, not only to your professional bodies in Hamilton but to your community. I don't have a lot of experience in what you are undertaking by applying for this particular position but it's a very important one to our community, to our province, to all of us. I trust you will contemplate that occasionally the kindest, the most humane, the most compassionate thing you can do is to take away somebody's rights and have them looked after by an institution. Certainly if that were the only or even the most common solution, we wouldn't need you, but we trust your judgment and, until I learn different, I will be very pleased to support your appointment.

Mr Clay: Thank you very much.

Mr Frank Mazzilli (London-Fanshawe): I just want to say, sir, I think you will do an excellent job.

We keep hearing from the opposition of people with mental illness ending up in the criminal justice system. Obviously you know that in the Consent and Capacity Board, in the cases that come before you, the criterion is

that they are a danger to themselves or others. Often you will get cases where someone has shoplifted and perhaps there is a mental illness, but that doesn't fit the criteria to take it out of the criminal justice system. As politicians we can change that, but you know the debate when you are taking someone's liberty away with fewer criteria. That would be seen by the public as too harsh perhaps. So I think we have to stop complaining that some people end up in that system when we've made this criterion that you must be a danger to yourself or others, and then you have shoplifters who end up in the criminal justice system.

Mr Clay: Yes. Your comment is in line with what I was saying earlier that there are inevitably people with mental illnesses who end up in the criminal justice system. The challenge to the Consent and Capacity Board is to apply the criteria under the legislation before us. From Mr Johnson's question, certainly, public safety and what's best for the patient must be balanced with civil liberties. That's the challenge for the board.

1030

Mr Wood: How would you assess the effectiveness of the criminal justice system in facilitating mental health treatment for those who need it in respect of those who are found guilty?

Mr Clay: I'm not sure that I'm personally in a position to comment on the effectiveness of the criminal justice system in that respect. I know of the facilities in Ontario and I know of the—

Mr Wood: Sorry to interrupt—I'm focusing more on the courts. Do you think they are good at facilitating mental health treatment for those they find guilty who need it, or do you think they need more work in that area? That's really focusing on what the courts themselves did as opposed to what happens after the courts have dealt with it. Sorry to interrupt; I just wanted to clarify.

Mr Clay: I think most situations like this depend upon the resources available in a particular community to be able to access assistance for people with mental health disorders.

The judges, in my experience, are acutely aware of the fact that the many people before them require mental health assistance. When I was practising before the criminal courts I represented many people in fact who did require assistance, and routinely orders were made for psychiatric evaluations and those came before the courts. The sentencing, in my experience, always took into consideration the needs of that individual and the need for protection of the public in terms of the mental health issues that the person is facing.

So I think that the legislation there in the Criminal Code and elsewhere—for the courts to address situations—any given situation in any given community depends on the resources and the abilities of the people in that community to meet the needs.

Mr Wood: We're told that—some say 25%, some say 15%, but a significant number of people in the correctional institutions are diagnosably mentally ill. How

would you account for that high number of people that are mentally ill in our institutions?

Mr Clay: I think that the nature of certain types of mental illness is that it can cause irrational and violent behaviour, and so it's not surprising to me and, I respectfully submit, shouldn't be surprising to anyone that undiagnosed or not properly treated people with mental illnesses end up in the criminal justice system and end up in our correctional institutions.

Now, I suppose the question is: after the finding of guilt, should they be in correctional institutions or should they be in high-security specialized psychiatric institutions? Certainly, we have a responsibility as a society to ensure that people we incarcerate receive treatment, because ultimately they are going to be coming back on to the streets, into our communities, and we don't want to have untreated or undiagnosed mentally ill patients with violent pasts in our community.

So I don't think it's surprising that the rate's that high. I do think that does speak to the fact that we have ongoing responsibilities to ensure that people with mental illnesses do obtain the treatment that they require.

Mr Wood: Do you think that those in the institutions by and large have good treatment plans or not-so-good treatment plans?

Mr Clay: I don't think I know enough about the treatment plans within the institutions to comment specifically on how good they might be—

The Chair: The time has expired. Thank you kindly, sir. You may step down, Mr Clay.

HARRY CHADWICK

Review of intended appointment, selected by official opposition party: Harry Chadwick, intended appointee as member, council of the College of Dental Hygienists.

The Chair: Our next applicant is an intended appointee is a member of the council of the College of Dental Hygienists of Ontario, Mr Harry Chadwick. You may come forward, Mr Chadwick. As you know, you are entitled to make an initial statement, should you see fit, and then we will begin the questioning after that.

Mr Harry Chadwick: Thank you, Mr Chairman. Good morning to you and your committee. I do have an opening statement that I would like to make to the committee, if I may.

I would just like to enhance and update my brief resumé with respect to other activities that I have been involved with. When my political life ended—rather abruptly, as they sometimes do—my community encouraged me to become involved in certain activities, one of which was the Chinguacousy Health Services Board, which had land in Brampton to build a hospital but no hospital. The land languished for over 25 years without a commitment of any kind. Of course, our goal was to get that commitment. To make a very long story short, we finally got that commitment. The community was overjoyed after such a long wait. The time and the frustration in achieving such a monumental commitment in these

times—to say the least it was extremely rewarding. So now our community is going to have, within the next five years or so, a nice new hospital that will serve a large and growing community, and I am so proud to be a small part in helping to achieve that goal.

In my political life I was proud of my community and country as I watched and participated with my colleagues of different political stripes, all dedicated and hard-working, to achieve the best for their people—similar, I'm sure, as to how you all feel. I've lived, worked and raised my family in what was once a small town, Brampton, which is now approaching a small metropolis. We'd like to think it's nudging the much larger metropolis of Toronto.

My union involvement is also a source of pride to me. It also taught me that there are so many social problems when you deal with people. When you find yourself in somewhat better circumstances than some, then you feel it rather incumbent to help out in some way. So the experience was important for me to understand how people in a number of ways are fragile and count on you, if you can help, and so you should.

My municipal tenure was certainly an experience of being more involved with people and was a very satisfying time as far as politics was concerned. Your close neighbours were your constituents and of course were ever present, so the personal aspect was there in deference to other levels of politics. I think that what I am trying to say through all of my smoke is that I would like to bring community to the committee that I wish to sit on.

Gentlemen, thank you for your attention. I am in your hands, Mr Chairman.

The Chair: We will begin the questioning with the third party, Mr Martin.

Mr Martin: What political stripe did you carry when you ran federally?

Mr Chadwick: What political stripe did I carry?

Mr Martin: Yes.

Mr Chadwick: Well, I was elected on the Progressive Conservative ticket.

Mr Martin: Yes. I guess that then the next question is: how does a good union guy end up running for the Conservatives?

Mr Chadwick: What's wrong with that? There are lots of union guys that are in different political parties. The union doesn't brand a person, in my view, in a political field, and the political field doesn't brand the union.

Mr Martin: It would be the same kind of question I'd ask if somebody from the chamber of commerce was running for the NDP. You'd be wondering, you know, what was going on.

Mr Chadwick: I understand. I know it's a question in a lot of people's minds whenever I've raised it or when people in my community know my background. They wonder, and it's a question to them: how do you do this?

Mr Martin: Yes. Not that I think it's unhealthy. I think a good mix of people in any political party is healthy.

This appointment that you're seeking this morning—I did pick up a reference to some participation in some of the health areas of your community. Why this particular appointment? How did that all happen?

Mr Chadwick: The minister, Mr Clement—I've had some dealings with him in bringing issues to his office from people in my community that live and reside in his area and have problems within his area, and I've represented them because I have time on my hands now. I suppose, through him, one of the members of his office contacted me and asked me if I would like to sit on that committee.

1040

Mr Martin: And what would you hope to accomplish by being on this?

Mr Chadwick: It's public participation on that committee, and I would hope to accomplish a public and community view on that particular committee.

Mr Martin: What are the issues that they would be dealing with?

Mr Chadwick: On the committee?

Mr Martin: Yes.

Mr Chadwick: I have not had any involvement with the committee and it's very difficult for me at this particular time to announce what the issues may be. You'd have to be involved, I would think. As a member of the public, you're not involved in those particular issues unless they're blown up.

Mr Martin: One of the issues, and it's across the board in most of the health care professions, is that there's a struggle over who does what—the scope of practice. You get the optometrists battling with the ophthalmologists over who does what, who should be over who and all this kind of thing, in a community where we're trying to create some level playing field, where different people with training and professional abilities should be allowed to do what they do without either creating the extra bureaucracy or the cost that goes with duplication. In the instance of dental hygienists, one of the issues is, should a dental hygienist be allowed to practise what they've been trained to do, without the oversight of a dentist? If you're like me, you go in every six months and you get your teeth cleaned and, at the end of the cleaning, if you don't have any cavities—and I've been lucky for a while—the dentist comes in for maybe five minutes, if that, and taps your teeth and takes a look and has a chat with you and then walks off to the next room. Sometimes as I'm sitting there I'm thinking, "Man," and then you get your bill, right? What would your perspective on that be? Should a dental hygienist be allowed to practise on their own or should they continue to be under the oversight of a dentist?

Mr Chadwick: I saw some briefing notes just recently in reference to a paragraph or two in reference to the hygienists, and my view from that paragraph, from what I read, is that there's a distinction between the two and I think that distinction has to be met. They have to be kept distinctive. That's just a view that I have off the top of my head from reading paragraphs that I've seen.

Mr Martin: One of the other issues that's out there right now that you might be able to contribute some thought to, if and when you get appointed to this board, is the issue of dental services being made available to all citizens of the province in an affordable fashion.

Mr Chadwick: What is my view of that?

Mr Martin: Yes, and how do you think dental hygienists could contribute to making it, perhaps, more cost-effective?

Mr Chadwick: More cost-effective. Well, I understand from that briefing note that there are a number of dental hygienists in the province and that they're increasing, from what I read. I suppose if they serve some of the far-fetched communities within the province, that can make the whole situation much better than it is today. I think progress in the field with the dental people and the hygienists certainly can contribute to a more efficient system.

Mr Martin: We're looking right now, and I think all stripes of government have, over the last 10 years or so, looked at how we might reform the delivery of basic health care, and there's talk of putting groups of people together. We're now calling it the Ontario Family Health Network of doctors. We have a very excellent example in Sault Ste Marie of the group health centre, where a number of professions have come together and they've pooled their resources, they get funding from the government and they deliver a service that I think is exemplary. Do you think dentists and hygienists should be brought in under that umbrella?

Mr Chadwick: From the little I know about it, I would think doing that would make some sense. I think they should be included.

Mr Martin: OK. Thank you very much.

The Acting Chair (Mrs Leona Dombrowsky): We would now go to government members, and Mr Stewart.

Mr R. Gary Stewart (Peterborough): Thank you, Mr Chadwick, for your comments. It's interesting. I kind of like to see somebody go in with a clear mind so that you don't have the biases, because there is some, as in Mr Martin's comment, developing animosity, for lack of a better word, between the dentists and the hygienists because of turf protection, for lack of a better word. So for you to go in with a relatively clear mind without making it up, I think is complimentary to you because you're going in to represent an organization of the hygienists; you're not going in to represent the organization of the dentists.

It was an interesting comment by Mr Martin, suggesting that whether it is the Ontario Family Health Network or the rostering—whatever you wish to call it—the hygienist and the dentist are doing that now. Unfortunately, everybody likes to spread their wings a little bit and wants to get a little bit more of the action, which represents a few more dollars etc. Of course, one of the concerns that hygienists have is they have been going into nursing homes and so on and so forth and looking after some of the elderly, and some of the other groups are not overly supportive.

So mine is not a question; it's more to the fact that you are going in without any biases, one way or another, and I think that you should be. You've learned that through your involvement with the Conservative Party and the CAW, sir.

Mr Chadwick: You're absolutely right.

Mr Stewart: Right, thank you.

The Acting Chair: Were there any other members of the—

Mr Wood: We'll waive the balance of our time.

The Acting Chair: Thank you. Mr Gravelle.

Mr Gravelle: Good morning, Mr Chadwick. I do want to pursue a little bit further the issue, though, that Mr Martin was bringing up and Mr Stewart was talking about. This issue in terms of the dental hygienists' abilities and right to be able to provide the service without getting authorization from the dentist or dental surgeon is an important one. There are some who have made the case that because of the restrictions that are in place, this actually reduces patient accessibility, at times, to a dental hygienist.

I've certainly spoken to the dental hygienists on a number of occasions about this issue and have written the minister about it, and I don't think they're saying that dentists or dental surgeons should not have a very significant role to play. I think Mr Martin made the point that you go in on a regular basis to get your teeth cleaned and things like that. So as much as you're saying that you don't have a strong position on it, I do want to pursue it a bit with you because obviously, in going on this particular board, your input is going to be very important and you're going to be, I would presume, lobbying one way or the other. How much have you investigated this? You mentioned that you read the briefing note, but was there anything beyond that that you were familiar with?

Mr Chadwick: Nothing beyond that, no, sir.

Mr Gravelle: So you've got no familiarity with it at all?

Mr Chadwick: None whatsoever. I have an open mind.

Mr Gravelle: OK, well you have an open mind, and I do appreciate that, but do you have an opinion? With the briefing that you've received and the questions that have been asked, are you prepared to at least take a position on a tentative basis, just based on the discussion today?

Mr Chadwick: I find that when you're involved on a board, you usually try to find out the issues that are on the board, what the issues are all about, and investigate them. I haven't had that opportunity or that chance to do that and I really find it difficult to be able to take a position on anything in that respect without knowing what the position of the board is and what the arguments have been. I'd like to research that. As a politician, I'm sure you're aware that you research all of those things before you come to a point or a conclusion.

1050

Mr Gravelle: That's right, you try to do that, there's no question about it, but I guess my continued questioning is based on the fact that you certainly did know you

were being brought forward for this particular appointment. I don't know exactly when that was, but you were called forward.

Mr Chadwick: Fairly recently.

Mr Gravelle: I would have said, with the greatest respect, that you did have an opportunity or you would have had time to do a bit of research, this being one of the bigger issues that's out there. You just haven't had that opportunity?

Mr Chadwick: No, not at all. I appreciate what you're saying. I certainly would like to find out what the views of the board are and what has happened with the board; a little of the history of the board and what the positions are on the board.

Mr Gravelle: All right. Thank you very much.

The Acting Chair: Thank you very much, Mr Chadwick, for coming this morning.

WILLIAM PARKER

Review of intended appointment, selected by the official opposition party: William Parker, intended appointee as member, Criminal Injuries Compensation Board.

The Acting Chair: The next person on the agenda would be Mr William Parker. Mr Parker, we are a bit ahead of schedule, which is good. You will have an opportunity to make some opening comments and following that there is a possibility that you might receive questions from members of this committee.

Mr William Parker: Very good. Thank you very much for the chance.

I have been a practising lawyer since 1970. I grew up in the city of Toronto, in the Queen and Bathurst area, and attended Central Technical School there. I went back to school to matriculate, as they called it then, went through teachers' college in the summertime and taught upper-school English for a couple of years before going back to law school. I started law school in 1966, I think it was, and also started working in the summertime here in this building with the Attorney General's office, in the criminal appeals branch upstairs—special prosecutions 2, it was called—and then was hired on as counsel there in 1970.

I should tell you I'm married, still to the same person. I've got four lovely children, the last of whom is finishing aeronautical engineering this year, and a little grandson who is soon to go to school. He has a little play school now that he goes to; he doesn't like it a bit.

I travelled all over the province prosecuting criminal matters largely in the special prosecutions branch and also conducted hearings under the Police Act on behalf of the police commission into the operations of police people, police chiefs, police boards, local boards of commissioners of police.

In 1979, I guess it was—I had just turned 40 at that point—I decided to enter private practice. Just before going into private practice, I worked for a year down at the crown attorney's office here in York county prosecut-

ing fraud cases, which was sort of a specialty of mine while I was here.

Since becoming a private practitioner, although I have a general practice, I have largely done criminal matters, at trial and on appeal to the Court of Appeal and to the Supreme Court of Canada. I also take civil counsel work and I still practise. I do some medical malpractice, some personal injury work with other younger lawyers who like to do the paperwork more than I do.

I should tell you, as a matter of sensitizing my brain to some of the larger issues, while I was at the Attorney General's office—Arthur Wishart was the first Attorney General, and there was about five of them that I worked for as the time went on. I was one of the counsel there who drafted replies for the minister's signature in matters where people would come to the Attorney General as the chief law officer of the crown and expect to have answers to all of their problems associated with the courts and lawyers and the justice system generally. So it was quite an experience to have to look at the matter from not only a legal point of view but a broader justice point of view. That was one of my jobs there.

As counsel, I acted in prisoners' appeals for a couple of years. That's a situation where the prisoners don't have lawyers, so for a couple of years I had to make sure the prisoners felt their appeals were being pursued and their point of view got across to the court, although they weren't often able to express it for themselves in personal hearings.

I've mediated cases at the request of other counsel. I have a reputation for fairness, I'm glad to say, in addition to being punctual and industrious and just about everything else you'd like in a person like this, without being immodest.

I found out about the vacancies on boards like this but wrote in to the appointments office seeking an application form for this particular board. It's right in line with the kind of work I do. It's a chance to assist the applicants as well as the board in resolving these claims for compensation arising out of criminal cases.

I applied some time in the spring, I guess it was, and heard back a little while ago. I met with the chairman and the co-chair and another member of the board down at their offices on University Avenue. They outlined to me the kind of work they do and what they expected a person like me to do. I think at the end of it they felt, as I feel, that my talents and experiences are the kind of thing that might be of use on the board.

With that by way of an introduction, I'll answer any questions.

The Chair: Thank you very much. We begin with the government caucus, Mr Mazzilli.

Mr Mazzilli: Sir, you left the prosecutor's office in 1979?

Mr Parker: In 1979, yes.

Mr Mazzilli: So that was well before all the big raises came.

Mr Parker: It was. I took all the pension money out and blew it on furniture and a car, too.

Mr Mazzilli: So you'll be practising for some time because of that decision. That's my only comment.

Mr Wood: One of the important goals identified by the public of the broader criminal justice system is that of restitution to the victim. I think it's important not only that restitution be accomplished but that the victim feel that restitution has been accomplished. Have you given any thought as to how you might convey to the victim that restitution has been accomplished and give the victim a certain degree of closure to the matter?

Mr Parker: That's probably the most important function of the board. Because of the financial limits on compensation, it can't always be done financially, to compensate them or put them back in the position they were in before this misery happened to them.

During the hearing, I would hope that's an opportunity, in talking with them and hearing their application, to let them know that it's certainly within the board's mandate to compensate them. And there's the broader hope that the hearing would give them an opportunity to get their feelings out, more than just their claim for damages, and that they would feel they had been understood as a plaintiff, as a complainant and as a claimant. The hearing itself, quite apart from the award and the reasons for the award, may give them some comfort and understanding that they've been compensated as best society can do it.

Mr Wood: Those are my questions, and I gather we'll waive the balance of our time.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Good morning, Mr Parker. I am impressed to understand from your opening comments that it was under your own initiative that you had some interest in participating in this venture. Sometimes, we understand, that is not how people find themselves appointed to various roles. I am not saying that is always wrong either, but I am always impressed when a candidate comes forward. It would explain that you had some particular interest yourself in pursuing this type of service, and it's certainly a very impressive résumé that you've provided to the committee. I am curious to know if you have been involved politically at all in your career.

Mr Parker: I'm probably as apolitical a person as you might meet. My father was a CCF/NDP supporter for many years; my mother wasn't. I vote but I don't really have any firm views. Gerard Kennedy is the member in my area. I've never met him personally but I've admired the work he has done in the past and he's certainly an effective person in the House. I don't take any strong political views.

1100

Mrs Dombrowsky: I know that you have had the opportunity of being provided the same background around issues concerning the Criminal Injuries Compensation Board, and of course, that those people who would come before the board have had some issues around the level of compensation. Do you have an opinion about the level of compensation that is offered for victims at the present time?

Mr Parker: It was revisited in the red tape change and some of the figures were hiked up a bit. The board has its limits. They're modest; in many cases they've never approached the damage that's been done to people. Would more be better? I suppose it would. There are people who actually caused this harm, and often of course they have no money in these kind of criminal matters. So the answer is yes; I imagine that more money would be better. That's a political matter for legislation. I'd be just wishing, I guess, if I said there should be more.

Mrs Dombrowsky: As a member of the board, obviously you would be in a position to understand those concerns that would come from victims. Do you think you have a role or a responsibility to in any way track the number of people who would appear before the board and who would say, "This in no way is going to compensate me for the emotional cost or even the very real cost to my family or my own personal situation"? Do you think that as a member of the board you have a responsibility to transfer that information to the powers that be, to the government of the day, so that they would understand that while the board is serving a very important role, some reconsideration needs to be given so that a more meaningful effort is put forward to truly compensate victims of crimes for the circumstance in which they find themselves?

Mr Parker: I suppose the only thing I can say is that it would be a highly subjective view as to whether or not the claimants were satisfied with the amount of money. I'd be guessing—I think it'd be a shrewd guess, though—that there'd be over 95% that felt they didn't get enough money. There has got to be a bit of art, I suppose, in hearing, and part of my practice of the law referral system is to explain to members of the public who run into difficulties with the law society that there are of course limits, and everybody has to deal with the limits. I think that's an important part of the work. If there were more money then I'm sure it could be given out. I know it's quite a budget as it is, but not very helpful anyway.

Mrs Dombrowsky: That will conclude my questions, Mr Chair.

Mr Martin: In accepting this appointment or being interested in this appointment, are there any things about the compensation board that you had concerns about or you thought you might bring particular perspective to?

Mr Parker: Like I say, without being immodest, I'm pretty good at dealing with people. I just know that the majority of the claimants, with the limits that are placed on their compensation, will be dissatisfied with the way the thing works. Without being an apologist, I would hope that I'd be able to take a role in making sure they feel satisfied with what has happened.

Mr Martin: Which brings me to another point. I've had some back-and-forth with some claimants in my office who, first of all, felt like they were before the courts again. They had thought, "OK, the courts are over; that's done. Now it's a question of seeing if I can't get some compensation that will help me maybe get some

counselling or get my life, to some degree, back in order again so I can move forward." They've felt in some instances, even with the physical set-up of the interview they went to, like they were back in court again. They had to relive a whole lot of very horrible experiences all over, simply to satisfy the criminal justice board members that in fact they should get this modest amount of money. Any comment on that and have you heard anything of that nature?

Mr Parker: Well, of course the claimants don't have to appear. They can pursue their claims in writing. Most, I'm told, come to the board. They can also do an application electronically, so there is no unnecessary need for confrontation between an offender, for instance, and the claimants. So while it is difficult, I am sure, for a claimant to, as you say, relive these things, if it's tough for them or impossible for them, they can do it in other ways and make sure that their position is put forward. But as far as conducting a hearing in the room goes, I'd feel comfortable that I could minimize the discomfort for them enough to help.

Mr Martin: In the example that I am thinking about, one of the people in the family did appear and was quite dissatisfied, felt confronted. Then another member who chose to write but then was asked that they should appear was very hesitant and fearful of that. It just made the whole experience rather distasteful and difficult when they had already been through that.

I appreciate the fact that you understand that there are different levels of comfort here and that there is a need to deal with the fact that not everybody is the same. Some people will be more comfortable in different circumstances. Would it bother you as a member of a tribunal if somebody refused to show up in person because of fears that maybe they aren't willing to put on the record? Would that be a problem?

Mr Parker: I don't know what position the board takes in, I would think, a very isolated and peculiar case such as that, but if there were any provision for them to be visited or their position taken outside the precincts of the board, I imagine one might be able to do something like that. I don't know whether that fits into the policies of the board or not.

Mr Martin: Do you see it as a role of the board to somehow bring further closure or healing to this circumstance? Some of the folks who I have talked to who have been through the justice system share with me that really there is no justice. It's simply a question of negotiation. You get what you negotiate at the end of the day in some instances, which is a term you hear often these days. Do you see this board as an extension of the system to try to somehow bring some justice or bring some closure, or does it serve another function?

Mr Parker: Well, it has that role, I think, quite clearly, as I have said. My position in relation to that, as I have said, is I would like to play my part in making sure there is some closure to the extent that is possible in a public forum like this. I acted for the woman whose husband was murdered up here in the University of

Toronto, and her children. It was very tough to deal with that.

Mr Martin: One of the issues—and I'm not sure how it is connected to this, but I thought I would ask. One of the things that I discovered is that—I thankfully have not been involved in the justice system yet—at the end of the day you hear of people being found guilty or innocent and there are fines levied. I assumed for the longest time that that money would go to the victim of the crime, but it doesn't. Would you have any suggestion as to, perhaps, a better use of that money to do what you suggested here this morning: maybe up the ante a bit and give people money that would be more appropriate to the damage that was done?

1110

Mr Parker: A judge can always order compensation from the offender, and that is certainly done in some cases. Restitution is a part of the criminal case. The surcharge on fines was just hiked up. That money is collected by the system and applied in pursuit of policies that the government has laid down there. I don't know if any of or part of that money finds its way to fund the program of this board or not, but that has just recently been reviewed and it has been raised. That money is collected as a surcharge where fines are levied in cases in court. That's quite a pile of money, I would imagine, but that's still part of the government's role, I guess, in apportioning all that.

Mr Martin: You are aware that the government brought in a piece of legislation a while ago called the Victims' Bill of Rights that was really laughed at by a judge when it was brought before him and used as an argument to allow for compensation. Are you aware of that particular circumstance?

Mr Parker: I am aware of the Victims' Bill of Rights, but not in detail. It's intended to assist people, as victims, to put their case forward. It's very much a part of the approach of this board.

Mr Martin: OK. Thank you very much.

The Chair: That concludes the questioning today. You may step down, sir.

Mr Parker: Thank you very much.

The Chair: We now move to the consideration of the appointments. The first in consideration is Philip J. Clay, intended appointee as member, Consent and Capacity Board.

Mr Wood: I move concurrence.

The Chair: Mr Wood moves concurrence. Any discussion? If not, all in favour? Opposed? The motion is carried.

The second one is Harry Chadwick, intended appointee as member, council of the College of Dental Hygienists of Ontario.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Discussion?

Mr Martin: I'm probably going to support this appointment, but I have to put on the record my concern, and it was highlighted by Mr Stewart in a more positive

light, that Mr Chadwick comes to this job with absolutely no experience or knowledge of the area that he is now going to be called to be involved in. Granted, he will learn. Obviously, he has done so in his past life pursuits, but I'm not sure if absolutely no knowledge in areas that people go into, particularly where the public interest is concerned and the development or the application of public policy is concerned, is as positive a thing as Mr Stewart has laid out. There's no bringing of biases, but there's also no bringing of any experience or information either. I would not find that argument convincing, but nevertheless I will probably support Mr Chadwick's appointment, given his very strong CAW background and the knowledge he will bring because of that to this job.

The Chair: Any other discussion? OK, I'll call the vote. All in favour? Opposed? Motion carried.

The next one is William J. Parker, intended appointee as member, Criminal Injuries Compensation Board.

Mr Wood: I move concurrence.

The Chair: Concurrence has been moved by Mr Wood. Any discussion?

Mr Mazzilli: I just want to say that I certainly will be supporting Mr Parker. What impressed me about some of the things he talked about was when the bait was put out for him as to what proper compensation should or ought to be, he did not bite that bait. Essentially what he said was, "Society cannot compensate financially." What is

the proper amount for someone who has been sexually abused? There is no proper amount. And what he said was, "This is a process where people have to have dignity through the hearing, and society can compensate them the best they can," and I think that, going into that position, that's an important attribute to have.

Mrs Dombrowsky: I was very impressed with Mr Parker and will be able to support him. I would for the record, however, want to make very clear that there was never any intention to bait Mr Parker with any of the line of questioning, and I would caution the member not to judge me by your standards.

I think it is refreshing when we have candidates who come to this committee who have actually, of their own volition, sought out and got information and decided that it was a role that they wanted to pursue. So to his credit, he did that; he wasn't asked or it wasn't suggested that he might like to consider this. That someone has, because of his interest in serving the public in a very different way, decided to let his name stand on this board makes me very happy to support him in this.

The Chair: I'm going to call the vote, then. All in favour? Opposed? The motion is carried.

Any further business for the committee?

Mr Wood: I move adjournment.

The Chair: Mr Wood has moved adjournment. All in favour? Opposed? Carried.

The committee adjourned at 1115.

CONTENTS

Wednesday 16 October 2002

Intended appointments	A-91
Mr Philip Clay	A-91
Mr Harry Chadwick	A-95
Mr William Parker	A-98

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)
Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)
Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)
Mr Bert Johnson (Perth-Middlesex PC)
Mr Tony Martin (Sault Ste Marie ND)
Mr Frank Mazzilli (London-Fanshawe PC)
Mr Wayne Wettlaufer (Kitchener Centre / -Centre PC)
Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr R. Gary Stewart (Peterborough PC)

Clerk / Greffière

Ms Anne Stokes

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

CASON
XC19
-G52



A-7

A-7

ISSN 1180-4335

Legislative Assembly of Ontario

Third Session, 37th Parliament

Assemblée législative de l'Ontario

Troisième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 23 October 2002

Journal des débats (Hansard)

Mercredi 23 octobre 2002

**Standing committee on
government agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues



Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 23 October 2002

Mercredi 23 octobre 2002

The committee met at 1006 in room 151.

SUBCOMMITTEE REPORT

The Chair (Mr James J. Bradley): I call the committee to order. Our first item of business is the report of the subcommittee on committee business, dated Thursday, October 17, 2002.

Mr Bob Wood (London West): I move its adoption.

The Chair: Mr Wood has moved its adoption. Any discussion?

Mr Bert Johnson (Perth-Middlesex): Do we get a copy of that?

Clerk of the Committee (Ms Anne Stokes): I can get you a copy. A copy was sent to your office last Thursday morning, but I can get you another copy now. I've got one right here. Do you want me to make copies for the committee?

The Chair: Any members of the committee need further copies? Mr Johnson can have mine. I'm not going to share mine with Mr Johnson.

Mr Johnson: I'm satisfied.

The Chair: Thank you very much, sir. Any other discussion? If not, I'll call the motion. All in favour? Opposed? The motion is carried.

INTENDED APPOINTMENTS

RICHARD FRAME

Review of intended appointment, selected by the official opposition party: Richard Frame, intended appointee as member, council of the College of Chiropractors of Ontario.

The Chair: We now move to appointments review. The first individual is Richard A. Frame, intended appointee as member, council of the College of Chiropractors of Ontario. Mr Frame, you may come forward. As you are aware, you have an opportunity, should you choose to do so, to make an initial statement, the time of which is subsequently subtracted from the government caucus's time. Subsequent to that, there are questions from members of the committee. Welcome, sir.

Mr Richard Frame: Thank you, Mr Chair and committee members. I do have a few words of introduction. The first thing I'd like to say is that it's an honour to be considered for this appointment with the council of the

College of Chiropractors of Ontario. I'm just going to give a brief history of my working career and a little bit of who I am.

I started out as a coordinating producer in the Department of Supply and Services in the federal government for a number of years. During that time, I was seconded to the Ministry of External Affairs, where I managed international trade and communication strategies for the 1988 Calgary Olympics. From there I moved on to Canada Newswire, also in Ottawa, for a little while.

We moved to Oakville and I worked for Dome Productions, which is a subsidiary of NetStar. From there, I was promoted, as I like to think of it, because I have a bit of a sports background, to one of my dream jobs, at the Sports Network, TSN.

I then started a company called Frame-by-Frame Strategic Communications Inc with my wife. I was a communications adviser to a few ministers: the Minister of Long-Term Care, intergovernmental affairs, the women's secretariat and the Minister of Education. I then went back to working with Frame-by-Frame.

On the education side, I attended the University of Waterloo. I also briefly went to the University of Houston in Texas on an athletic scholarship for swimming. On the swimming side, as a competitive swimmer I was a three-time member of the Canadian national swim team and holder of various provincial and national records and achieved world ranking in the backstroke. I represented Canada on a number of international swimming events, such as the Pan American Games, where I was a two-time finalist, and Europe and other invitational swim meets.

On an even more personal side, I'm a member of the board of directors of the Oakville Aquatic Club and on the board of directors of Fishing Forever, which is a non-profit organization helping pursue the environmental side of fishing. I've been on the Oakville Chamber of Commerce.

At one point, I left my job at Queen's Park, after discussions with my wife, to become the primary caregiver for my two children and worked out of the house to have more time with them. I have freed up more time for, I'd like to think, things like this.

During my working career, I twice found myself with back pain where I needed the help of a chiropractor. I believe I understand the role of the chiropractor and the role of the patient. I'm an average guy, and I believe I can play a positive role on this council. Thank you.

The Chair: Thank you very much. We commence our questioning with the official opposition.

Mr Michael Gravelle (Thunder Bay-Superior North): Good morning, Mr Frame. We're always curious about your background when we have people interviewed for these positions, and I am curious about your background in terms of the ministers you may have worked for. Can you give us some more detail as to which ministers you worked for and what role you played? I know there's some reference to you doing some work for the Premier as well.

Mr Frame: The Premier's office initially contacted me and asked me if I would go into Minister Jackson's office, play the communications role and work with them, which request I accepted. Then I was also asked to go to Minister Dianne Cunningham's office and work in a communications role there under intergovernmental affairs and the women's directorate. Then I was asked to go to the Minister of Education and do the communications role with her. That was under Minister Ecker.

Mr Gravelle: Your background suggests you have very relevant skills to be a communications expert, and I certainly don't question that. Was your entrée into that because of your association with the party? Are you a member of the Progressive Conservative Party?

Mr Frame: Yes, I am.

Mr Gravelle: So you were a supporter of some of these members or ministers, I guess, in that sense.

Mr Frame: I believe in what the government's doing, what their intentions are and what their platform is, yes.

Mr Gravelle: That fairly leads me to the question of, how did this position you're being offered come about? Was it as a result of your relationship with those ministers? Were there other opportunities you sought out?

Mr Frame: I had mentioned to my member of Parliament when I had left Queen's Park that I would be interested in staying involved. I have ongoing friendships with people I've worked with in the past. They knew my intention was to work out of the house, but being the primary caregiver—both my children are in school—I pick up contract work when I can and I'm available for something like this. When the opportunity came up, I was very interested.

Mr Gravelle: How did this specific appointment come about? Was it the one you wanted? Did you seek out this particular one?

Mr Frame: No, not this particular one. I'm very interested in the health care area, and when they asked if I would be interested in this, I said sure. My interest in the health care side—I think we are all aware of the need for better health personally. We're also aware of the challenges that are presented in the health care system. Like most of us, I'm looking to understand it better and do what we can to help make it better. That's just my day-to-day thinking. When this was offered to me, I wasn't going to say, "That's not the one I want." I was thrilled that I had an opportunity to do this.

Mr Gravelle: So you got a direct call from your member, then?

Mr Frame: No, it was a member of the Minister of Health and Long-Term Care's office.

Mr Gravelle: Who was the minister? That would be Mr Clement, I presume?

Mr Frame: Yes.

Mr Gravelle: Who's your local member?

Mr Frame: Gary Carr.

Mr Gravelle: I have some questions I want to ask you specifically about the appointment, but I want to ask Ms Dombrowsky if she has any questions in relation to what I'm asking.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): No, you've asked my questions.

Mr Gravelle: OK. This is an important council to be on. There has certainly been a fair amount of attention paid to the issue in relation to some of the controversy surrounding chiropractic. I presume you're conscious of that, and I'm wondering if you have any thoughts. I know you're a public member of the board and you're not expected to be an expert in that area. It is a board where the majority are practising members. I'm curious as to where you come from in terms of what you hope to achieve on the council.

Mr Frame: I am conscious of it and I have been conscious of it based on the media for the last couple of years. I think the issue you're speaking of is that there was a woman who, after having her neck adjusted, had a stroke. I think it was about four months or a considerable amount of time later.

My take on that first is that as a public member—I am not a doctor or even a health care specialist—I think what I would bring is just a rational sort of understanding to it. My view in that area is that I'm not seeing a lot of cases like this. I don't want to dismiss in any way that it's not a serious concern, and obviously there are a number of groups taking this as a serious concern.

My intention would be to try to read up a lot more, find out what the specifics are and better educate myself on what the concerns really are, try to get some perspective. Does this happen a lot more than the public is aware of? Is this a common concern? Is the percentage of this very low, that it can be considered as just one of those things that sometimes happens? I would want to make sure I had a bit better perspective on what that was before I passed judgments.

Mr Gravelle: Do you think part of your role, presuming you are appointed, is to try to bring the issue forward in terms of the council itself, or do you view your role as being an advocate for the profession?

Mr Frame: To take the first question first, in terms of my role, again I want to understand all the concerns equally initially. I want to say that if this receives a disproportional amount of attention to all of the issues or is a significant issue that needs significant attention—right now, I'm not exactly sure what that is.

The second question was about being an advocate. To a certain extent, I think I can be an advocate. What I want to do is that I think there's a role for the chiropractor. If it

can help people become healthier, if it can educate people on their own personal health, I think the role is significant. That's it.

Mr Gravelle: Leona, do you have any questions?

Mrs Dombrowsky: No.

The Chair: I move to Mr Martin.

Mr Tony Martin (Sault Ste Marie): Good morning. Tell me what you know about the Regulated Health Professions Act, if anything.

Mr Frame: As I said, I'm not the professional here, but from what I understand, the intention is to regulate, in this case, the College of Chiropractors, that all chiropractors must meet certain standards, be educated in and qualify to become a member of the college and maintain those standards and that the college is responsible for making sure members meet and maintain those standards. The act ensures that and the college monitors and maintains those standards.

Mr Martin: What do you know about the scope of practice of chiropractors?

1020

Mr Frame: Probably the majority is that people with back pain go and see a back care specialist. The chiropractor understands what back pain is. The scope can be that it could be a back adjustment, it can be massage, it can be advice on exercise, diet, stretching. It can vary within that range. The chiropractor can offer a number of solutions to alleviate the back pain of the patient.

Mr Martin: Part of the difficulty in rolling out the Regulated Health Professions Act is the continuing struggle among professions for turf. Who do you think would be the big competitors for chiropractors?

Mr Frame: You know, I haven't really thought about it. Chiropractors, from what I understand—and I am just going off on my own opinion here. Chiropractors probably see more reactive business, that is, people with back pain go, "My back hurts. I'm going to go see a chiropractor." On the proactive side, it's basically the fitness industry that would—once people are more active, physically fit, from what I understand, your stomach muscles are stronger and the chances of back pain being created and increasing become less. So the fitness industry, I would think, is a competitor.

Mr Martin: Do you see chiropractic fitting into, for example, the reform of primary care in the province?

Mr Frame: I don't know all the details of what that would imply, so I caution myself on answering that question. What I will say is that in my own personal case—and I think it could benefit others—when I had my back pain, I wish I had known earlier how to prevent it. I would have tried to increase my fitness regime, increase my stomach muscles and do those types of things in order to avoid the back pain.

I'm sorry. Can you give me that question again?

Mr Martin: Just the reform of primary care and how chiropractic would fit in.

Mr Frame: You know what? I don't think I can answer that. I don't know what the role would be specifically and enough about the reforms, what would

be necessary to make that a significant change in a reform.

Mr Martin: The reform, to some degree, is to try and bring more of the professionals in the health care field together under one roof so that there's a continuous, seamless transference from one to the other, depending on what was required. I was just asking if you felt that in that the chiropractor would find a slot somewhere.

Mr Frame: In theory, that sounds very good. My experience in this world is that theory and practice don't always mesh comfortably. I'd like to become more aware of the specific concerns of the College of Chiropractors and to know that I would agree that the theory of meshing them all together would be beneficial for the college and patients of the chiropractors.

Mr Martin: Do you think chiropractic care should be covered by OHIP?

Mr Frame: Yes, I like the fact that it is. I know that right now it's limited, but I think it can play a role there, yes.

Mr Martin: Having said all that now, what would be the biggest motivator for you in terms of accepting this appointment? I think my biggest role here is to make sure that the people we appoint have some very clear and legitimate reasons for seeking an appointment and come to a particular challenge with some background or expertise. What would be your biggest motivator for this? I know you were under the care of a chiropractor, so you've experienced that. Why this appointment among so many others in the health care field? You just said you're interested in health care.

Mr Frame: First, it's health care, and any form of health care, as I said earlier, has some challenges. I'm interested in it because I think we can all find a role where we can increase our awareness of our own personal health. I think the chiropractic field is one of the areas we can become more familiar with and more comfortable with in order to avoid back pain. As someone who has had back pain, it can be pretty limiting at times. If we can play a role to be more aware of that and can decrease the time that people spent away from their jobs, I think that's a significant contribution to society. I'm a big fan of any time we can do that. To keep people healthier and happier with their families and their jobs and not interrupted by any type of pain that keeps them away from those is enough for me to try to do what I can to play that role and to make things better.

Mr Martin: You mentioned earlier that you, a member of the Progressive Conservative Party, have worked with various ministries and support the direction of the government we have in place now. How do you see that meshing with your appointment to the chiropractic college?

Mr Frame: I agree with the present government's direction and I also believe in good health care. I'm not exactly sure what you're trying to get to there.

Mr Martin: I'm not trying to get anywhere. I'm just trying to see if there's a connection for you.

Mr Frame: I don't really see one. As I said in my introduction, I'm just a guy that's had different jobs. I

used to be an athlete and I know what it's like to be healthy, and if there's any way I can play a role in helping people stay healthy, then I'm happy with that.

Mr Martin: You're aware that there is some controversy about chiropractic at the moment in terms of some of the neck adjustments and back adjustments and the contention that some folks have gotten strokes and that kind of thing. Any comment or—

Mr Frame: As I said before, I don't feel that as a public member—I'm not a health care professional specifically. As a general public member, sure, I'd like to become more aware of the specifics. I'd like the details of how it happened. Is this a common thing? I read it on a Web site. I guess before I comment on that, I would like to become more aware of the details. If this appointment does go through, I'd like to find out what some of the experts can tell me and try to find some other research I can gather on my own and come to a rational conclusion. I'm concerned about it, but I'm not willing to state one way or another that I think this is a major or a minor concern. I don't know at this point.

The Chair: That concludes your questions, Mr Martin. We now move to the government caucus.

Mr Wayne Wettlaufer (Kitchener Centre): Mr Frame, welcome, first of all, this morning. I too, like you, have had experience with chiropractors—maybe I've had more than you have. I suffered a very serious car accident many years ago and I wouldn't be walking if it weren't for a chiropractor. The physicians wanted to operate.

There is nevertheless a train of thought among the public that while chiropractic visits are very good, very beneficial for those, as you described, in the reactive situation, there are those among the public and probably in the opposition parties, maybe even in our own party, who feel that there is an insistence on the part of chiropractors that patients visit them every two weeks or every three weeks or every month in what they call preventive health care. There are those who feel this is a drain on OHIP, on the health care system. Do you have any views in that regard?

1030

Mr Frame: As to the beginning of your statement, I found, after having my back pain, that I went for my adjustments with my chiropractor but I also did what he told me to, which was exercise more and become proactive about my own health care. I think what you're also implying and, if I can say, one of the concerns we have is that we want to keep people out of hospitals, want to keep people out of being further drained. If the chiropractor and the patient believe that visits every three weeks are necessary to avoid further pain and further potential disability, then I think that needs to be considered.

If it's a general sort of feeling—and I don't know this—that chiropractors are just trying to do this for business, then I'm concerned about it. But I don't know that as a fact. I'm not in the room when the chiropractor, a doctor and the patient are discussing that particular patient's well-being.

Mr Wettlaufer: Very good. You're aware, of course, that chiropractors push what I would call holistic medicine. They stress the use of vitamins as opposed to pharmaceuticals. There are times where that could be construed as somewhat controversial. Many people feel there is a genuine place for pharmaceuticals. Other people feel that pharmaceuticals are over-prescribed by the family doctor or the specialist. On the other hand, maybe the chiropractors don't recognize the merit of pharmaceuticals in any way, shape or form. What would be your reaction there?

Mr Frame: I don't think all chiropractors push the holistic side. I know my chiropractor doesn't. I know there is an association with chiropractors and the holistic side. I think the key thing here is that the patient has to be responsible for his or her own health care, that the patient has to be aware and rational when dealing with the chiropractor, to listen to the advice of the chiropractor and choose what is most beneficial to the patient. The patient has their doctor, their GP, they can go to for advice and also has other resources where they can get advice, and I think the patient needs to be responsible that way to manage their own health care.

Mr Wettlaufer: One last thing I have to say. I was impressed with the way you answered the questions on the opposite side relating to the court controversy, the treatment. I think this is something we shouldn't be commenting on right now. It is a matter before the courts, unless it has just recently been settled, which I'm not aware of. I've been following it very closely, and you were very prudent in answering it the way you did.

Mr Wood: We'll waive the balance of our time.

The Chair: Thank you. You may step down, sir.

Before I move to actual consideration of this, just a note of information for us because it falls under the category of appointments review. I have received from Gina Thorn, general manager of the Public Appointments Secretariat in the Office of the Premier, a copy of memorandum that went to Claude DesRosiers, Clerk of the Legislative Assembly:

"This is to inform you that one item included in the September 20, 2002, memorandum has been withdrawn and therefore should not be considered.

"The item is as follows:

"Cabinet September 17, 2002. Ministry of Municipal Affairs and Housing, Ontario Rental Housing Tribunal. Peter A.P. Zakarow."

So that intended appointee is withdrawn.

We will now deal with the only appointment we have before us this morning. The motion is from Mr Wood.

Mr Wood: I move concurrence re Mr Frame.

The Chair: Mr Wood has moved concurrence regarding the intended appointment of Richard A. Frame to the council of the College of Chiropractors of Ontario. Any discussion?

Mr Martin: Even though I think Mr Frame is probably an exemplary good citizen, the connection here between his working for the government and different ministries and his obvious membership in the Con-

servative Party, which in itself should not and does not get in the way of his being available or qualifying for an appointment and perhaps doing a good job—but when we consider the number of people we've had through here in the last number of months getting appointments who either worked for government or were heavily involved in government campaigns or in fact, as the Liberal Party pointed out last week in the Legislature, actually ran for the government party in elections, the whole issue of finding citizens with no leaning politically to be active on these boards, to participate in these boards—I guess I was looking for, in my questioning, some strong reason that Mr Frame would want this appointment to counterbalance my concern re his employment with the government in the not too distant past and his political affiliation. I didn't find it, so I am going to be voting against this appointment.

Mr Gravelle: If I may express some concerns as well, Mr Frame seems like a fine gentleman and very interested in doing a good job. There is no question that members of all political parties can be very good representatives on a number of government agencies, but there does seem to be a bit of a pattern emerging. Regardless of the fact that a member is being appointed as a public member of an organization, I have a certain expectation of some thoughts and preparation. Mr Frame was quite careful to indicate that he wasn't prepared to comment in any significant way. That leads one to the impression—and perhaps the government members will be critical of me for saying this—that the major qualification he has is his background with the governing party.

You can certainly have members from all parties who are clearly good fits, and we've seen them here and we've approved them. In fact, we've praised some of them in terms of their appointments. But this one has the look that Mr Frame's major credential is that he has been a supporter of and has worked for various ministers. Because he was not in any sense, from my perspective, as prepared as he should have been for the position, I just don't feel I can support it.

Mr Wettlaufer: I can't use the word I'm thinking of right now because it's not considered parliamentary. But let me say that hearing the criticisms of the two opposition members across is rather ironic in view of the fact that when the David Peterson government came to power they replaced many of the senior civil servants, holus-bolus, with Liberal appointments. The NDP replaced many civil servants based on nothing but political affiliation.

I have to say that it's natural, when you come from the business world, that you are going to naturally affiliate with people who are like you in terms of business acumen, business awareness, understanding of the issues of the day, whether it be political or real-life issues. It's only natural for us to put forward people who think like us when we were in the business world, who affiliated with us in the business world. It's only natural that we're going to put forward people who we feel have the necessary acumen. If that happens to be someone with a political affiliation, I don't know why that person should

be criticized or denied the opportunity to be appointed simply on the basis of his political affiliation. It's rather ironic that this criticism would come from the members opposite.

1040

The Chair: Any further discussion? If not, then I will call the vote. All in favour? Opposed? The motion is carried.

COMMITTEE BUSINESS

The Chair: The next item of business is dealing with the Sudbury community care access centre and its appearance before the committee and the committee dealing with it, the specific scheduling, the specific details of it. Another side question I'll throw in is whether in one instance we would be able to have one appointment as well. Perhaps I'll allow our clerk to put out some options for us to start the discussion, and then I'll go to Mr Wood.

Clerk of the Committee: I'll just let you know where we stand right now. We have two intended appointees scheduled for next week. I thought we could have the briefing. We had agreed on a half-hour briefing. I have received names from the Liberal and NDP caucuses. I thought the following week we could schedule our first one-and-a-half-hour caucus time with the half-hour opening statements as well. That would be a two-hour meeting. Then the following week is constituency week. Perhaps the following week we could then go on to the next caucus hour-and-a-half and then, following, the third caucus.

I think the question too is, we do have a number of intended appointees we have to consider. In a two-hour meeting we could have a one-and-a-half-hour hearing, plus a half-hour with one intended appointee. Do you want to extend the meeting times and deal with more intended appointees? I just want to know how to schedule and what you'd like to do.

The Chair: Mr Wood, I'll hear from you first.

Mr Wood: The idea of how you've set it out is good. The only concern I have is that we should do the hour and a half in one bite, so to speak. In other words, I don't think it's appropriate to split up. If we're going to hear the people recommended by the Liberals, we should do all that in one day; ditto with the other two parties. The rest of that's fine. We are not thinking in terms of an extension of time. We're either going to lose some appointments or have to reduce the amount of time we're going to spend on appointments.

Mr Gravelle: My understanding, from what the clerk just said, was that's how it would work. If indeed we had two appointment interviews next week, plus the briefing from research, and then the following week, which would be the week of November 6, we would then have one of the witnesses who have been called, plus the opportunity for the parties to make opening statements, which would be two hours. You would deal with one witness—is that not true—completely?

Mr Wood: What kind of witness are you talking about?

Mr Gravelle: All three parties would have a chance to interview that one witness.

Mr Wood: When you're talking about witnesses, are you talking about intended appointees or are you talking about someone who's been recommended to speak on the issues pertaining to the CCAC?

Mr Gravelle: No, I'm talking about in terms of the review of the CCAC. We would have one witness on November 6 who would come in—whether it was our choice or the third party's choice. Obviously the government party hasn't put any names forward yet. But we would deal with that one witness that week and then the following opportunity we would have the second witness for the review.

Mr Wood: When you say "witness," it can be more than one, of course. You can recommend three, if you want.

Mr Gravelle: We've made our recommendations, and I believe the third party has as well. All I'm saying is that each party can deal with their calls in one week.

Mr Wood: Each party gets one day is what I'm saying, which I think everybody else is saying too.

Mr Gravelle: I think we've agreed to that.

Mr Wood: OK.

Mr Gravelle: We're not arguing that.

Clerk of the Committee: Do we want to deal with an intended appointee? Within the two-hour time frame we could have one half-hour time with the intended appointee and a one-and-a-half-hour period regarding the agency review of the CCAC. Would that be agreeable, so we could get as many so we don't have a backlog?

Mr Wood: As far as I'm concerned, yes. Bear in mind, the choice has to be made. If we get a backlog because of this review, either we don't review some of the people or we cut the time spent for review of intended appointees.

Mr Gravelle: That sounds like a threat.

Mr Wood: It's not a threat.

Mr Gravelle: It sounds a bit like a threat. We've had an agreement on the amount of time, which you were very happy to agree to. In fact, you presented in terms of the amount of time we were having. Now you're saying, unless things work out the way you want them, you're going to say we won't be allowed to interview people or we'll have to cut the review. It's got sort of a threat-like quality, Bob.

Mr Wood: No, quite the contrary. We're entirely in the hands of the opposition on this. You've suggested a review. We've agreed to a review. You can designate as many people as you want, but if you make more designations than the time permits us to review in a half-hour, we've either got to not review some of them or reduce the time. We're in the hands of the opposition on that too. Make as many designations as you want, but bear in mind, because we're doing a review, it limits the time we have otherwise available.

Mr Gravelle: You're saying you wouldn't be able to extend any time in terms of—

Mr Wood: I don't think we can. That's up to the House leaders. In any case, we have donated, so far, all of our time for review of intended appointees to the opposition. We have not taken up any yet. We may in the future take up a few, but I think we have been more than generous in making time available to the other parties to do the reviews or do the review of agencies, if that's what they prefer.

I am pointing out there are consequences. Decisions have to be made as to what the priorities are. We're in your hands. If the opposition wants to review more and reduce the time, that's fine. If they want to review less, that's fine too.

We're certainly prepared to support a review of agencies as well, which indeed we have. We are not offering any sort of threat to anybody. What we are doing is drawing to your attention the consequences of what has been decided. We are happy to review as many names as you want to put forward. We'll agree to any reasonable division of time, so you can review everyone you want to review. I think so far we've reviewed everyone who's been requested, and we're happy to continue with that.

But I did want to draw to your attention that there may be some considerations as to how you organize this so you can get reviewed exactly what you want reviewed. We fully support reviewing everything that you folks want to review.

Mr Martin: I'm OK with all of this up until the point where you become somewhat difficult in terms of reviewing people we would call forward for appointments review.

The spirit of this committee has always been—in the 12 years I've been here anyway—that together we try to find ways to make sure we review those people whom each caucus determines it wants to have a chat with.

The fact that you haven't brought any people forward is certainly not seen by me as some generosity on your part. You can always call people forward, and we would hope that at some point you would actually participate more actively in the proceedings of this committee by both calling people forward and actually talking to people when they come here, asking questions, taking up your time, participating in this process that's really important.

As a matter of fact, it's a privilege we have here that they don't have in many other jurisdictions to actually call forward public appointees and interview them. I think we do the whole system a disservice by not participating in a way that reflects a respect for that process.

My hope is that we would continue in the same spirit that this committee has for a long time. We haven't been calling a lot of people forward either, but from time to time we do see people we want to talk with, for whatever reason. Maybe the Chair or the clerk can clarify this for me, but if we call people forward, as is our right to do, it's the committee's job to try and schedule that. If we can't schedule it in the time that's available, we often make motions to extend the period so that we can actually bring those people in and have a chat with them.

To throw that twist into this, in my view, is a bit unfortunate because my experience so far of working with you, Mr Wood, is that we really try hard to accommodate each other. You've been very good in working with us to try to review this particular agency and we appreciate that.

1050

Mr Wood: My point to you folks is that we have a limited amount of time made available and we are more than happy to try to accommodate all matters of interest to all members of the committee. However, we do have a limited amount of time available, and if we are going to allocate, as I think we properly have, the time we have to the review of the CCAC, I'm drawing to the attention of all committee members that that has certain implications with respect to the time available for the rest of it. We are prepared to work with all members of the committee to make sure that all persons designated for review get reviewed, but we may not be able to review them for half an hour. I'm drawing that to your attention. After that, I'm in the hands of the other members of the committee.

We are prepared to facilitate review of every intended appointee any of the three parties wish to review. I'm not in any way attempting to limit that or discourage it. In fact, as members well know, I would go further than we go now. I have a bill before the Legislature that would have the committees and the Legislature itself approve every judicial appointment. I fully support the reviews we do and personally will do all I can to make sure every name you want reviewed gets reviewed. I'm drawing your attention to the fact that we may have to make some modifications of the time to get them all done. On the other hand, if your decision is that you'd rather have a longer review and review lesser numbers, we're in your hands. We will work with you to do either, but let us know.

Mrs Dombrowsky: To the question that has been put to members by Ms Stokes, I certainly would be prepared to interview an intended appointee for the first half-hour and then proceed with the hour and a half that has been assigned for interviews with CCACs. I would be prepared as an individual member of this committee to follow that—

Mr Wood: I agree with that. I'm just pointing out that if we have more people to review than the half-hour slots are going to permit, we're going to have to reduce the amount. I'm drawing that to your attention so that you can tell us what your preference is.

Mrs Dombrowsky: Would it be possible to do extensions to accommodate any we can accommodate in that?

Mr Wood: We have a limited amount of time available. I am not making any promise on that, but I am not refusing it at this moment either.

Mrs Dombrowsky: I guess we just have to see the numbers that come forward and how they might be accommodated.

The Chair: You are open to cajoling?

Mr Wood: I am open to hearing submissions on that point, but I do draw to your attention that you have the opportunity—if you want to reduce the time, I guarantee

you that all names will be reviewed. If you don't want to do that, you take the chance that we may feel we don't want to extend the time.

I'm inviting you to consider now the question of how you want to prioritize this. I think you'll find us supportive in the manner in which I set out, which is that if you want to review every name designated, we'll do it, but it may not be possible to allocate half an hour in order to get them all done. We will support doing them all, if that's your decision as to prioritization.

The Chair: May I also get a clarification, while we're on this: did I hear that the committee will be sitting during constituency week?

Clerk of the Committee: It's up to the committee.

Mrs Dombrowsky: That would not be practical.

The Chair: What is the opinion of the members of the committee?

Mr Wood: I support Ms Dombrowsky.

The Chair: How many members of the committee—just a straw vote here—would prefer not to sit constituency week?

Interjections.

Mr Wood: With the Chair not voting, this appears to be unanimous.

Mr Martin: Frank wants to come.

Mr Frank Mazzilli (London-Fanshawe): I was pretending I was a Liberal and couldn't make a decision.

The Chair: You'll have a chance this afternoon to make a decision.

Mr Gravelle: One final comment: I don't think it was your intention for us to get into this, but I just think it's an odd approach to take, if I may say so, to Mr Wood. Obviously we've agreed to do this review. We've agreed on the period of time the review is going to take. We've even agreed on how it will be handled in terms of the meetings. As always, we'll get the appointments and we'll make requests for interviews. I would just turn it back to Mr Wood. If at some point you determine that you won't extend it, then that's a consequence as well for the government, to say you won't allow us to interview someone.

I would hope we can work this out. I would hope we'd have the usual co-operation we have, which is that we make extensions. What you appear to be saying is, "Because you've got this review, now you may pay the price in not being able to interview everybody you wanted."

We don't even know how many we're going to call. My emotional instinct is to start calling 20 more just because I was a little offended by your approach. I trust that wasn't your intention, and I don't think it was. But to suggest that, gee, maybe you'll pay a price down the line by not being able to interview them: I would hope we will work that out because there's a consequence on your side if you don't allow us to do that as well.

Mr Wood: Quite the contrary. My comments were intended to be helpful. I was drawing it to your attention now so that you can make this decision now. If you want to be absolutely certain, cut the time if we have too many

names. I'm putting that forward now so that if we decide to refuse unanimous consent, you are not in a position of being ambushed by that. I want you to know now so you can make this decision.

Bear in mind what the standing orders of the House do. They allocate a certain amount of time for review of intended appointees and the review of agencies, which on the face of it you would think would be divided equally among the three parties. We have been restrained, which has had the effect of giving you people more time, should you wish to use it. It is our desire, and the rules clearly provide for this, that every name you designate can be reviewed. But they also say that if you're going to designate a large number of people for review, you may have to cut the amount of time to review. That's in effect what the standing orders say.

I'm merely drawing that to your attention, not to in any way be unhelpful, so that you know now that we're not guaranteeing we're going to give unanimous consent to extensions. Maybe we will, maybe we won't, but you're not in our hands. If you take a look at the number of people who have been designated, and the deadlines, and want to reduce the amount of time, you will have everyone reviewed you want reviewed. That, I think, is the intention of the standing orders.

I am drawing this to your attention to assist you and give you information in the spirit of making sure you are making informed decisions. Having said all that, we then are going to throw the ball back to you and you can decide how you feel this should be prioritized.

The Chair: Let us ask our clerk if she's been able to draw a conclusion from the discussion to this point in time this morning.

Mr Gravelle: Yes, please.

The Chair: We'll go under the assumption that everybody in the committee is trying to be helpful.

Clerk of the Committee: Of course. To start at the beginning: next week we will review two intended appointees and have a briefing on the Sudbury CCAC. The following week—

Mr Wood: Sorry. Could I ask a question? Just before we leave that, we could do three, I presume. What did we designate—

Clerk of the Committee: Yes, actually, that's true. We could do three.

The Chair: Half an hour was designated for the briefing.

Clerk of the Committee: The trouble is getting—of the people we have on the list now, if somebody is available at this moment. If they would be available, you're right; we could book three next week with a half-hour briefing.

Mr Wood: What I was coming to: as far as I'm concerned, we can do three, if you want.

Mr Martin: In terms of the briefing, I was under the impression there was going to be a briefing and then each caucus could put on the record some of their concerns. Is that part of the briefing?

Clerk of the Committee: It was suggested to me that the half-hour the committee had agreed on for opening statements from each party would be done with the first witness called by one of the caucuses.

Mr Wood: You get the extra half-hour for that.

Clerk of the Committee: That means then the following week, which would be November 6, we would have that half-hour for opening statements and the first caucus selection for a witness. I don't want to get confused between witness and appointee. That's a two-hour time frame. Then the following week would be the second caucus witness or witnesses, and again a half-hour time slot would be available for another appointee review. The following week is constituency week. The following week would be the third caucus selection, with another half-hour opportunity for a witness review.

That's five appointee reviews. If we can get three next week and two the following two weeks, that's five. We currently have seven on this subcommittee report—and it's within the 30-day time frame.

Mr Wood: To totally beat the point to death, if you want to do more, we have to cut the time, and we're throwing that ball back to you to let us know what you think.

Mr Gravelle: We don't want to cut the time.

Mr Wood: OK.

Clerk of the Committee: So we'll proceed on that basis, then?

Mr Gravelle: Please.

Clerk of the Committee: Thank you.

The Chair: Does that satisfy members of the committee at this point in time? If it does, any further business to come before the committee?

Mr Martin: I'm not sure if others want it, but I would really like to have a copy of everybody who is appointed to boards and commissions in the province right now, if there's any way of getting a copy of that material.

Mr Johnson: As of today?

Mr Martin: Today, yes.

Mr Wood: I haven't looked at the Web site recently. Check to see if it's on the Web site.

Mr Mazzilli: It should be in the Gazette.

Mr Wood: But he's saying where there's a pool of it, so to speak.

Mr Pond: The Public Appointments Secretariat's Web site. I've got samples here too, if you want to look at them, that list the current membership and their tenure in office for every ABC in Ontario. All you have to do is go on, plug in the agency, and up will come the current list of its membership and how long they're going to be on that tribunal.

The Chair: OK. That information is available. Any further business for the committee? If not, I'll entertain a motion of adjournment.

Mr Wood: So moved.

The Chair: Mr Wood has moved a motion of adjournment. All in favour? Opposed? Carried. Thank you, members of the committee.

The committee adjourned at 1103.

CONTENTS

Wednesday 23 October 2002

Subcommittee reports	A-103
Intended appointments	A-103
Mr Richard Frame	A-103
Committee business	A-107

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Wayne Wettlaufer (Kitchener Centre / -Centre PC)

Mr Bob Wood (London West / -Ouest PC)

Clerk / Greffière

Ms Anne Stokes

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

C420N

XC19

-G52



A-8

A-8

ISSN 1180-4335

Legislative Assembly of Ontario

Third Session, 37th Parliament

Assemblée législative de l'Ontario

Troisième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 30 October 2002

Journal des débats (Hansard)

Mercredi 30 octobre 2002

**Standing committee on
government agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues



Chair: James J. Bradley
Clerk: Anne Stokes

Président : James J. Bradley
Greffière : Anne Stokes

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 30 October 2002

Mercredi 30 octobre 2002

The committee met at 1004 in room 151.

SUBCOMMITTEE REPORT

The Chair (Mr James J. Bradley): We'll call the meeting to order, if we can. Our first order of business is the report of the subcommittee on committee business dated Thursday, October 24, 2002.

Mr Bob Wood (London West): I move its adoption.

The Chair: Any discussion? If not, all in favour? Opposed? The motion is carried.

INTENDED APPOINTMENTS

WATSON SLOMKE

Review of intended appointment, selected by official opposition party: Watson Slomke, intended appointee as member, College of Dental Technologists of Ontario.

The Chair: We now move to the appointments review. Mr Watson Slomke, intended appointee as member, College of Dental Technologists of Ontario, you may come forward. As you may be aware, sir, you have an opportunity, should you choose to do so, to make an initial statement. Subsequent to that, there are questions from members of the committee. We will be commencing those questions with the third party and going in rotation after that, with 10 minutes each allocated to the parties. Welcome, sir.

Mr Watson Slomke: Good morning, Mr Chairman and members of the committee. I would like to begin by thanking you for giving me the opportunity to appear before you to tell you a little about myself and answer any questions you may have regarding my proposed appointment to the College of Dental Technologists of Ontario.

I was born and raised on Manitoulin Island and have lived in northern Ontario all my life. Upon graduating from high school, I began my 42-year career with Ontario Hydro as an operator in training and, subsequently, an operator. During this time I worked at various generating stations throughout northern Ontario.

I have always involved myself in community affairs and served wherever possible. In all of these various affiliations I always attained executive positions, a brief description of which follows: Thunder Bay Independent Order of Oddfellows, Algoma Lodge number 267, a past

Noble Grand; Oddfellows Thessalon Encampment, a past Chief Patriarch; New Ontario Lodge number 340, Thessalon, financial secretary for 12 years; Thessalon Curling Club, president for two years and curling club treasurer for four years; Thessalon Horticultural Society, president for two years and a director for 30 years; Zion United Church, Thessalon, an elder for 25 years, and I was official board chairman for two years; Thessalon Lions Club, president for two years and still an active member; and Algoma-Manitoulin Provincial PC Association, president for six years. I also served two three-year terms on the Algoma District Home for Aged board as the provincial appointee for Algoma.

I am presently mayor of the town of Thessalon, having been elected two years ago. This position has allowed me the opportunity to expand on my previous experiences. I must keep a topic on line, meet with and solve various citizen concerns, resolve conflicts as they arise, whether between councillors or employee-union disputes, and work with councillors to continually update infrastructure wherever possible and do the best we can to adhere to municipal regulations. I also serve as chairman of our police services board.

Throughout my life I have always enjoyed becoming involved in the community in which I lived. I am very fortunate to have travelled extensively in northern Ontario. I believe that this travelling and involvement with people from the north has put me in the unique position to see and hear varied views and concerns of individuals and municipalities.

As well, I firmly believe that in order for us to maintain the high standard of life we have today, it will take commitment. This commitment I believe will come in the ability of individuals to sit down, communicate, plan and effectively develop a strategy. These strategies can be realized by allowing individuals to come together and be involved. By allowing individuals to become involved, we empower. By empowerment, we allow them to have ownership. By ownership, we allow individuals to maximize efficiency. By maximizing efficiency, we begin to solve the problems as they arise.

Mr Chairman and members of the committee, thank you. I will be pleased to answer your questions.

The Vice-Chair (Mr Michael Gravelle): Thank you very much, Mr Slomke. As you are a former resident of Thunder Bay and I am a permanent resident, I want to welcome you as well.

Mr Slomke: Thank you.

The Vice-Chair: It's good to see you. We will begin our questioning with the third party today.

Mr Tony Martin (Sault Ste Marie): Good morning, Mr Slomke. It's nice to see you in Toronto. Whenever I've seen you recently, it's been in some community in Algoma. I agree that you're a very involved and active member of the northern community and have been for quite some time.

With your busyness, and I know you're a busy man, my first question is, how are you going to find the time, and why would you be interested in this particular appointment?

1010

Mr Slomke: Well, I had spent six years on the Algoma District Homes for the Aged board, and my term was up. I thought I'd like to be on another board, so I inquired around. I know there are about 23 different boards or commissions in the Ministry of Health alone, so I inquired to see what vacancies there were coming up. This was coming up and it kind of intrigued me, because I had never heard of it before—I don't think a lot of other people have—and I thought I had something to offer.

Another thing I looked at was that there are seven members on the board, dental technologists elected by their peers, and six appointees by the Lieutenant Governor. All six are from southern Ontario. I thought there should be one from northern Ontario. That's one of the reasons I applied for it.

But I think I have the ability to dedicate myself. I'm not an expert on this, but I figure there are seven experts on there. Any board I've been on, I've always given it all I had. Probably when I go in there, I'll ask dumb questions—at least the board members will think they are dumb questions—but I'm an ordinary citizen, and I think if I can understand it, well, Joe and Jane Citizen should be able to understand the question. I figure I have something to offer.

Mr Martin: I certainly agree with you: I've gone through the list of appointees to boards and commissions in this province, and we from the north are way under-represented on most of them. I'm not sure whether it's just a question of convenience or what, but there doesn't seem to be the kind of effort any more to make sure the northern voice is heard at those tables. I think that's important.

The second part of the question was, why specifically this one? You said you looked at the list of appointments. Do you have knowledge or background? You said you could bring something. What is it that you would bring to this appointment?

Mr Slomke: Well, I read over the act from 1991; it was implemented in 1993. What do I think I could bring to it? I read that there are only 477 dental technologists in Ontario and they are down at present. The average age is 50 years or older, and they're going to be retiring in a few years. I think they should be promoting this to high school kids, and I'd be willing to help do that. Kids don't know what it's all about. I think they should be going out and putting some brochures out and speaking to high

school kids, because what you need is a grade 12 education and a good background in chemistry, biology, mathematics and physics, but then you have to take a three-year course at George Brown College plus another year apprenticing under the tutelage of a dental technologist. So it's a four-year course. The population in Ontario is aging—what have we got, six or seven million? They are going to need more dental technologists. Dental technologists don't really work with the people. They take orders from the dentist and the orthodontist and so on.

I think I could give something to it. I'd ask a lot of questions. I think that with any job you take, you grow with the job. Ask me this question two years from now, if you appoint me to the board, and I'll give you a better answer. As you know, I was elected mayor of the town of Thessalon two years ago. I'm much more knowledgeable about municipal affairs now than I was two years ago.

Mr Martin: Do you know anything about the Regulated Health Professions Act?

Mr Slomke: Yes. It runs the affairs of the college—the board runs the affairs of the college—and regulates to make sure we have qualified people. And it—let's see; what does it do? It develops, establishes and maintains standards of qualifications, it makes sure the technologists are skilful and knowledgeable and it also sets professional ethics.

Mr Martin: When that act was passed, it was quite an undertaking, as I remember. There were a lot of hearings and a lot of participation by all the health professions. It didn't solve all the problems, in that there are still cross-jurisdictional, scope-of-practice issues. In this instance, the group you're going to be overseeing as a member of the College of Dental Technologists have some natural discussions, I suppose, to give it as positive a spin as possible, with some of the other professions in the dental field.

What in your mind are some of the bigger issues being debated at the moment, and what would your position be on some of those?

Mr Slomke: I'm not sure what the positions are. I'm going in there with an open mind. I think it would be very presumptuous on my part to go in there, the new boy coming in—I'd like to get to know the board members and take part in the discussion, and we can resolve it. I'd vote how I thought was best. But I think it's very presumptuous for me to go in there with an agenda.

Mr Martin: There is a fear out there among dental technologists that some of the work they do is being taken over by the dentists, for example, who are also into some interesting discussions with hygienists, and certainly the dental technologists want to retain control over the area they specialize in. Do you have any—

Mr Slomke: I was not aware of anything like that, that it was to be taken over, but I'd certainly be looking into it. I know they are highly regulated by the council or the college. They have to be licensed.

Mr Martin: That's all the questions I have this morning.

The Vice-Chair: We'll move to the government side.

Mr Bert Johnson (Perth-Middlesex): I had a couple of questions. In your resumé, you list New Ontario Lodge—

Mr Slomke: That's the Independent Order of Odd-fellows.

Mr Johnson: In Thessalon?

Mr Slomke: Yes.

Mr Johnson: Help me with my geography. Where would I come across Thessalon if I were driving through the north?

Mr Slomke: You wouldn't quite meet Mr Martin's Sault Ste Marie. It's 50 miles, or 90 kilometres, this side of Sault Ste Marie on Highway 17, the Trans-Canada.

Mr Johnson: Would that put you in Mr Martin's riding or Mr Brown's?

Mr Slomke: Algoma-Manitoulin, Mr Brown's riding.

Mr Johnson: One of the reasons I ask that is that I am a little bit familiar with the Oddfellows Lodge, but I heard you mention the Knights of Columbus, and I have absolutely no—

Mr Slomke: I never mentioned the Knights of Columbus.

Mr Johnson: There was something else besides the Oddfellows Lodges.

Mr Slomke: The Lions Club, the horticultural society, the church.

Mr Johnson: OK. I'm familiar with the lodge's background of relieving the distressed, protecting the widow, educating the orphan and burying the dead. What I'm getting to is the background you bring, not only as the mayor of your community, but your well-rounded and deep experience in other organizations. I wonder how you will draw upon that to help you with this appointment.

Mr Slomke: When I joined the Oddfellows Lodge back in 1960—I'm still a member, an over 40-year member—I was a young fellow. Some of the older fellows talked me into joining.

Mr Marcel Beaubien (Lambton-Kent-Middlesex): You're still a young fellow.

Mr Slomke: I learned how to conduct meetings with the lodge. When I finally became Noble Grand, there were some elderly chaps, and they were very strict. If you didn't do it right, they reminded you. You learned how to conduct a meeting. It taught me not to be so shy and to be able to get up and speak to the public a little bit. I'm still learning. I still get nervous at times, as I'm sure we all do, but I think that is what helped me out, and of course all the organizations I've been on.

1020

As you know, we have delegations. I have town hall meetings as mayor. I've had to use the gavel a few times to bring the boys back into line. I think this will all help me in meetings. I think I have an ability to listen to all sides. When they start repeating themselves, that's when you—

Mr Frank Mazzilli (London-Fanshawe): You'd hate this place, then.

Mr Slomke: No, I watch you in the Legislature, all of you. I've seen you. In fact, a week ago I was watching it.

Mr Martin: Mr Mazzilli's always getting kicked out.

Mr Slomke: I enjoy it because I like to watch the different styles and techniques. It's good. I sit there and watch it. Sometimes I don't know what bill you're speaking to unless I watch the screen underneath, because you wander.

Mr Johnson: Tell me the number of people on council in Thessalon.

Mr Slomke: There are six councillors and the mayor.

Mr Johnson: And the population of Thessalon?

Mr Slomke: It's 1,350. It has gone down from 1,800 a few years ago. We need jobs up there.

Mr Martin: That's right. Northern Ontario needs jobs.

Mr Slomke: We need lots of jobs, and money for water and sewer filtration plants.

Mr Johnson: Those were all my questions. I'm impressed with your background: the horticultural society, the Lions Club and those other organizations that have given you a background.

The Vice-Chair: Any other questions for the government side?

Mr Beaubien: Mr Slomke, welcome to Queen's Park. It's interesting that you mentioned you need jobs in Thessalon and the member for Sault Ste Marie, Mr Martin, agreed with you. But he was also asking you personally what qualities you have from your background experience that you would bring to this position as a member of the college. I found that kind of intriguing, especially after the harangue you gave us on the background you had being a volunteer on different bodies in your community and in northern Ontario.

What intrigued me the most was that you pointed out you would be the only northern member on this body. To be honest with you, from the brief description you gave us of your background experience plus the fact you're from the north, I want to let you know that I'm going to support your candidacy for this position.

Mr Slomke: Thank you very much.

Mr Wood: We'll waive the balance of our time.

The Vice-Chair: We move to the opposition side.

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): Thank you, Mr Slomke, for coming down this morning. I have quite a few questions on this issue this morning.

First of all, when we look at how colleges develop and maintain standards or practices, I wonder sometimes if those colleges are not there to dictate to the people who are sitting on the boards, that we have no knowledge of the profession and that we just sit down, listen to them, and put the rubber-stamp "approved as recommended by the college."

I know that through your past experience you've said that you are the mayor of a municipality and that you have the ability for sure to preside and to administer the day-to-day operations of a municipality, but when it comes down to the time to develop and maintain standards of practice, this is a completely different field. I

really wonder sometimes how serious we are with such an appointment. I've seen, in the past, another person who was appointed to this board a couple of years ago. That person had no knowledge at all in the dental practice field.

Today you've said that you are very much involved in the community. Tell me, when you walked in to the Thunder Bay Oddfellow lodge, with the fact that you have past experience with Hydro, did they have any questions for you about the strategy you have played in developing those new Hydro standards?

Mr Slomke: No, they did not.

Mr Lalonde: They did not?

Mr Slomke: No.

Mr Lalonde: Because when you said that you developed strategies for Ontario Hydro, for the Hydro you worked for, today we know the fiasco we are going through. It scares me every time I see that someone has worked for Hydro in the past.

Mr Slomke: I've been retired from Hydro for six years, seven years. It's completely changed from when I worked for Ontario Hydro.

Mr Lalonde: This fiasco we are facing at the present time was not in the process of happening, I would presume, in 1993. That's going back nine years ago. But anyway, my question would be, at the present time, do you belong to or are you affiliated with any party?

Mr Slomke: I'm a card-carrying member of the Algoma-Manitoulin PC Association, yes.

Mr Lalonde: Do you have any knowledge in the dental profession?

Mr Slomke: None other than when I go to the dentist. I went to see the dentist a couple of weeks ago. I asked him, "What do you know about dental technologists?" He said, "Oh, those are the lab boys we send our orders to." He didn't know too much more about them himself. He just says he sends the orders in and those are the lab boys.

Mr Lalonde: The dentist told you that?

Mr Slomke: He told me that, yes.

Mr Lalonde: Has he gone to the proper school, to the proper university, to learn what the board is supposed to be doing?

Mr Slomke: This is a dentist. I don't think he has anything to do with the dental technology board.

Mr Lalonde: They should know what their purpose is or the reasons they have a board in place.

Mr Slomke: That's to look after the public interest, to make sure—the way I understand it—the dental technologists are qualified to make dentures or crowns or whatever. They can't operate unless they're licensed by this board. That board was created by the government back in 1991 and it went into effect December 31, 1993. I think they grandfathered the ones from before. I'm not too sure what happened. I don't know whether they governed themselves or what it was, but the government thought they should have a governing board and they created it.

Mr Lalonde: You seem to have read the professions act. Do you know, yourself, if you have a complaint to lodge against a dentist, where it goes to?

Mr Slomke: To my lodge?

Mr Lalonde: No, if you have a complaint about the way the dentist you go to has proceeded. You've paid a visit to the dentist and you're not satisfied. Where do you go?

Mr Slomke: Where do you go? I understand the office for the council, for the members of the board, is in Scarborough. You could send a letter to them. They have seven or eight different committees there. If there are some who are not living up to the practice or are incompetent, the board will look at them. There's an executive committee, a communications committee, you name it—there are about seven or eight committees. If you've got a complaint, they'll deal with the complaint, and if the dental technologist is not up to it, they can pull them in. You ask them questions, fine them, whatever; they can even pull his licence. This is what the board does, to my understanding.

Mr Lalonde: Who is on that board?

Mr Slomke: Seven dental technologists elected by their peers, and six appointees by the Lieutenant Governor. Now, they're not experts. They're like myself; they're from the public. There are 13 on the board.

Mr Lalonde: Those people who have been appointed by the Lieutenant Governor, do they have any say in the position that—

Mr Slomke: I don't know. I haven't been on the board. I assume they do.

Mr Lalonde: Lately we've been getting a lot of complaints. The MPPs are getting a lot of complaints on the practice of the college of physicians. We go to the college of physicians and it stops right there. They don't even answer.

Mr Slomke: You appoint me to the board and if you've got any complaints, give me a call and I'll bring it up.

Mr Lalonde: It's a good way to do it, yes.

Those are the questions I had. It's just that the background of this gentleman was Hydro. I know he administers a municipality, being the mayor of a small municipality. But being on the board of the dental profession at the present time is completely different.

Those are all the questions I have, Mr Chair.

The Chair: Any further questions from anybody else on the official opposition? If not, that concludes the questioning. Thank you very much, Mr Slomke, for being with us, and you may step down, sir.

Mr Slomke: Thank you, Mr Chairman.

1030

ALLAN GREVE

Review of intended appointment, selected by official opposition party: Allan Greve, intended appointee as member and chair, Smart Systems for Health Agency board of directors.

The Chair: The next individual to come before us is Mr Allan Greve, who is intended appointee as member and chair, Smart Systems for Health Agency board of directors. Sir, you may come forward. You observed before. You have an opportunity to make an initial statement, should you choose to do so. Subsequent to that there will be questions from each of the parties represented in the committee, should they see fit to ask questions. Welcome, sir.

Mr Allan Greve: Thank you very much, and thank you for the opportunity of presenting to you this morning. I'm Allan Greve. I'm the past president of a hospital. I served as president and CEO for 18 years. I'm the past chair of the Ontario Council of Teaching Hospitals of Ontario and the hospital funding committee of the joint policy and planning committee of the Ministry of Health. In addition to that, in the past I have chaired the Hospitals of Ontario Pension Plan.

As CEO, I focused on an evidence-based practice and the empowerment of staff and clinical practitioners. With the support of tremendous staff and physicians, we were able to achieve high-quality standards, high staff retention and the lowest cost per case of any teaching hospital in Ontario.

As CEO, I focused on the major private sector partnerships with industries, and this included pharmaceutical companies, health technology, health information and laboratory services.

In performing my duties in the role of chair and in the role of CEO, I maintained a balanced budget, strong principles of accountability and good business practices. A strong understanding of the distinction between governance and management and the responsibilities of governors is one of the hallmarks.

If I look at an overview of the Smart Systems for Health, at the present time, when you are a patient and you enter the health care system, the speed and efficacy of the treatment is dependent on many separate paper and computer systems in any number of different organizations.

Smart Systems for Health will provide a health telecommunications network infrastructure to enable a secure, standardized and confidential information network that will deliver the right information to the clinical practitioners and patients for timely, effective and well-informed care; second of all, access to primary care and other specialist skills through information networks, telemedicine and telerobotic surgery that will improve health care and quality of life in communities across this province; third, elimination of expensive duplication of diagnostic tests and clinical assessments; fourth, the sharing of this clinical information for research and expertise amongst professionals; and lastly, new innovations to manage disease, coordinate services and control health care inflationary pressures.

I believe I have the skills and abilities to chair a board to achieve these goals.

I will be seeking consensus of the board of directors to enable and to indicate that the critical success factors for

the Smart Systems will achieve the following: the creation of effective outcomes-oriented committee structures with clearly defined timelines to support the board; establishment and maintenance of an uncompromising accountability framework reporting to government and through government to the public; the development of a financing strategy to foster public and private sector partnerships for the province-wide telecommunications network that will encourage sustainable investments in infrastructure and operations; and a comprehensive process for the creation of rigorous standards for confidentiality and privacy of personal health information that will draw upon the best expertise available internationally to address ethical and technological issues.

As a major driver of change, Smart Systems for Health must ensure that its projects create the right incentives for sustainable behaviours and practices amongst consumers and providers to deliver health improvements with cost control and system-wide planning for health information.

The early creation of data and technical standards will allow health care providers the maximum time to prepare their systems to interface with Smart Systems for Health.

The next successful factor is the involvement of key opinion leaders in Ontario health care, who will become champions for Smart Systems for Health.

Next: effective tendering, reporting and auditing processes to ensure careful monitoring of progress against expected outcomes and costs for each of the projects.

Lastly: the evaluation and, when appropriate, the implementation of opportunities to improve health care system management and clinical practices through research, and analysis of aggregated health information that comes through Smart Systems and the whole health industry.

The Chair: Thank you very much, sir. We begin our questioning with the government caucus.

Mr Wood: We'll waive our time.

The Chair: We'll move to the official opposition.

Mrs Lyn McLeod (Thunder Bay-Atikokan): Mr Greve, this is certainly not a discussion about your qualifications. You're eminently qualified to take on any role in terms the service to the health care system, as are the members of the board who are being appointed; they are certainly well-qualified individuals.

The questions I have are a lot more about the mandate and purpose of the agency, and some very real concerns that we have around privacy issues related to health information gathering. The mandate that you've just described, and the consensus you want to build with your board, I assume is reflective of the mandate that the government has set out for the agency and discussed with you in appointing you as the chair.

Mr Greve: Yes. There are terms of reference and also a mandate. My words are not exactly and totally repetitive of what the government has sent to me. I think there's room for expansion opportunities that can be built into the system.

Mrs McLeod: Perhaps, Mr Chair, we could ask as a committee to see the terms of reference for the agency, if that's appropriate?

The Chair: Yes.

Mrs McLeod: I would just ask the clerk if that could be provided.

Between the estimates of a year ago and last year's estimates, there was a significant change in the government's approach to Smart Systems. Instead of being a Smart Systems system, it became the Smart Systems agency. So the setting up of the agency is new. It has been relatively unannounced, although I know it has been discussed in the field. One of the changes seems to be a physical setting for the agency, as well as the board of directors. One of my questions from that is, is there then to be a central database collection of health information in order to serve the purposes you've described?

Mr Greve: I have not taken on the chair yet, obviously. I appreciate the question. I believe at the present time there is going to be a culmination of issues that are going to be able to address that.

First of all, there is a discussion about a central repository. Secondly, there are networks and clusters in the different areas of the province. At the end of the day, what it entails is that the information of the people who are in the health care system, and the patients and clients of the health care system, obviously must be in the repository. There's a number of areas where in actual fact it's voluntary. Second of all, there's consent, and it's built on a layering of information on the basis of privacy and how we're going to ensure privacy of personal information. At the present time, the answer directly to your question is, that hasn't been decided.

1040

Mrs McLeod: One of my areas of confusion, and quite frankly concern, is that I feel a little bit as though we have a cart before a horse here. We don't have health privacy legislation, at this point. While there's a draft, there's no indication of when it will come forward. I assume from the mandate, the description you've set out, that you're talking about the gathering of identifiable health information. I make that assumption because I don't know how else the health information could be used for determining outcomes.

Mr Greve: Let me answer that on the following basis: you're correct that the Freedom of Information and Protection of Privacy Act, which is presently out in the field, is one that is being discussed, and that's the act for Ontario.

You're also aware, I'm sure, that under Bill C-6 of the federal government, which is the Personal Information Protection and Electronic Documents Act, that is already in the field and states how in actual fact this will go across Canada, provided that provinces—and Ontario obviously is in the process of looking at its own privacy of personal information and how it's going to treat that. Between now and January 1, 2004, if Ontario in actual fact passes that act, then that will supersede what the federal act is in respect to how information will be dealt with in this province. That is in the field. It has been modified. It has been written on the basis of how it can become, first of all, friendly but yet useful to the prac-

tioners, but on the understanding that personal information has to be private and it has to be available only to those who in actual fact are utilizing it for the right purpose.

Mrs McLeod: And yet you've indicated a number of purposes, a fairly broad range of purposes. If I've made adequate notes, you've talked about using the information to look at health outcomes, you've talked about using it for reporting to government and you've talked about using it to foster public-private sector partnerships. You also mentioned, as you were just responding to one of the questions, that it would in fact be voluntary, and I think as the government has talked about Smart Systems, they have talked about voluntary participation. If it is voluntary, how can it be useful in those broad goals of either studying outcomes or reporting to government?

Mr Greve: Let's just take for an example—the one plank of the smart system is obviously to provide for an emergency health record for those people who are willing to put it into the data bank on a voluntary basis. Again, I would suggest to you that the majority of Ontarians are going to do that. Common sense tells you, and common sense tells me, that when I go to an emergency department, I want all the information to be there to address the issues I'm there for.

Based on that, and obviously through a process of encryption and a process of your having to unlock many different locks in order to get the information by people who are able to do that for different purposes—and that clinical practitioners obviously have a smooth way to get into there, whereas researchers can go only so far into the data bank. There are many different ways in which encryption can be put in place to protect just exactly what you said, and for that information to be utilized for different purposes. But when it comes to clinical patient care, then it must be available in its entirety for a physician to treat you or me when we're in that emergency department, as an example.

Mrs McLeod: Has it been indicated to you by the government that the ultimate product of the agency is to be the development of the smart card?

Mr Greve: No.

Mrs McLeod: So this is not about, in your view, developing smart cards? Or is that again something to be decided?

Mr Greve: I have not been given that direction. I think it's, as you suggested, an option that should be explored. It has been used in other provinces, as you are aware, but I have no mandate or direction or directive from anyone to do that.

Mrs McLeod: I'm just curious, because the smart card initiative, which has been a focus of the government since 1999, was put on hold last year for just a year in order to study some of the issues around smart cards. It almost seems coincidental with the agency being established. I would like to think at least that the government doesn't have a smart card initiative study going on somewhere else while they're setting up the Smart Systems agency. Do you not think the two things should at least

be integrated, that if you're doing the work on smart systems, that should be the government's investigation into smart cards?

Mr Greve: I think your point points out a lot of synergy between Smart Systems and the smart card. In my opinion, there's no doubt that the networks that are going to be part of the Smart Systems would be able to deliver the backbone for the smart card that you've articulated.

The issue here is that there's a significant body of knowledge here which has to be brought to bear. I think by bringing that discussion to the correct tables, we'll make the correct recommendations and/or the decision in respect of that. Personally, I think that is a smart way to go, and that's not a pun. But I would take that as advice—and be able to challenge to see in actual fact if that's in the cards, and where does this synergy meet?

Mrs McLeod: In terms of the options, do you begin with any personal views as to whether or not it's desirable to have a central database for health information and a smart card—on either of those issues?

Mr Greve: In actual fact, I haven't had the opportunity to give enough thought to that. There's no doubt that if I'm appointed, the board I'm going to represent, which is a pretty significant cross-section of the health field, is going to grapple with that. I'm not coming to this with a point of view to say, "This is the way we're going to go." It's open to establish that vision.

The Chair: We now move to the third party.

Mr Martin: Good morning. I don't think anybody will have an argument with the fact that we should be taking advantage of the best technology available to collect information and to use it to provide better service across the province. I certainly share the previous member's query and concern about privacy of information and the fact that the government is moving so quickly to gather it all into a central depository somewhere, and what will happen to it there.

There are smaller entities out there already using IT. The Group Health Centre in Sault Ste Marie is one example. They've developed an excellent computerized system of records that they share with the physicians in the organization and other health providers and it works very nicely. But it's small, it's contained, it's controlled; people know each other.

My concern is that when you begin to centralize, as this suggests, and turn over control to one centre or central organization, you stand the chance of systems not working, particularly for people out in sort of the hinterland. We've seen this government, for example, take the Family Responsibility Office, where money is collected and distributed on behalf of couples who have separated, to look after children, and it has become a real nightmare. It's really, really hard to get hold of anybody. The system now is such that you've got to pay to get information that you used to get free.

What is to assure us that this isn't an attempt by the government, given that there are lots of difficulties out there in the health care system, in the end to simply

control and manipulate the system, to the detriment of the consumer trying to get access?

Mr Greve: I'm not starting to chair with any board on the basis of that mandate. I'm starting this on the basis of a governance role with established outcomes and with established information that is to be real-time and virtual and to have a network system, as we talked about, which would be encrypted and obviously would ensure confidentiality.

1050

The role of Smart Systems is not to do what you've just articulated. Sault Ste Marie is a very good example of where there should be value added under that system. It's not a matter of taking over the information, how they do their work, their business, how they treat their patients, how they interact with the physicians and the patients and all the health workers in Sault Ste Marie. This is to be value added; as an example, to pull out all the data in the Sault Ste Marie area for doing population health studies or to look at technology that can be hooked up, as it already is from a skills point of view, to the bigger centres, where in actual fact you need super-specialists to interact with the family physician in Sault Ste Marie.

I talk here a little bit about telemedicine and telerobotics. Telerobotics is obviously in the future. Telemedicine is already here and is being utilized. This is to build on what is already there and not to supersede it. At the end of the day, the patient is the person who should have significant control of the system. We are the enablers to make all these resources available to assist that patient to have all that in regard to pharmaceuticals, testing, emergency health records and patient records. All that has to be across the system.

Mr Martin: I understand that, but my central concern is control. Is the government getting hold of a system like this and exerting undue and unnecessary control and, by doing so, creating the kind of fiasco we've seen in the Family Responsibility Office?

In reading the notes put together for today, I note that one of the organizations this group is looking at is community care access centres. There's already tremendous difficulty in that system, mostly a shortage of resources and money, but also setting the regulations and standards such that fewer and fewer people qualify any more. The government changed the laws where the delivery of social services and people with disabilities accessing support are concerned. The trend is to change the regulations, change the standards and make sure it's consistent across the province—not consistent for more access but consistent for less access. It really worries me that that's where we're going. Can you guarantee me today that that's not where it's going?

Mr Greve: I think you put the emphasis obviously on negatives. Where I'm coming from is that it never is negative to in fact deliver information at the right time to the right people to do the right thing. The issue you highlighted with the CCACs is that that information is basically not available to hospitals and family physicians'

offices on a real-time basis. If you're discharged from the hospital and/or if your family physician says you need support in the community, there has to be a mechanism for that information to be shared. Obviously the system I'm talking about here is going to take away that lag between the time the physician writes the order for you to be discharged and the time the CCAC picks it up with a full background of the clinical aspects of the patient and what in fact they're asking the CCAC to be involved with.

I would turn that around 360 degrees. It should in actual fact shorten that kind of time. Also, the information that is necessary would be there on a real-time basis. That's what Smart Systems is supposed to achieve.

Mr Martin: What if it turns out that it's not? What if it turns out that it's simply a mechanism by the government to gain more control over a health care system that is beginning to come apart at the seams? For example, some of the notes that have been prepared for us here say, "It's not unusual for agencies of the government of Ontario to be subject to binding policy directives. However, it is unusual for the legal framework establishing an agency to include an explicit provision for the appointment of a powerful temporary administrator, who may assume control over the agency at the minister's discretion."

It gives the minister tremendous power, something like the same power the government has exercised in terms of at least three school boards across the province, where they've simply dismissed the trustees, brought in their own person and begun to make decisions accordingly.

If you're appointed to this position and you begin to detect that this is going to happen, because there is the ability there, given this possibility, what would be your response?

Mr Greve: First of all, the legislation that makes that happen is for issues which of course are very significant. Either it's budget or it's quality, or there's some issue that has taken place. There's no doubt, at the end of day, that our society believes government has a role to ensure that the public gets proper care of the necessary quality at the time it should be delivered.

In respect to your specific question, the board I would chair basically works on outcomes and benchmarks. It works on the basis of efficiency and effectiveness. Those are the prerequisites and success factors I'm going to use. Obviously I've been involved, in my career, with the minister and the ministry and the government on a number of occasions, and I think this is a good working relationship. Should that happen, obviously you would hear directly from the chair and the board, if in actual fact it was not meeting the objectives we set for ourselves.

Mr Martin: I wonder, if in preparing to take on this very important responsibility and to move forward—it seems to me that we're going there whether we like it or not, because of the availability of the technology, if nothing else. My concern in terms of health care is that

we're moving more and more away from a holistic taking care of the human person in all its dimensions to a more technical, almost "bring your car into the garage and get your muffler fixed" kind of thing. For example, a few years ago in our own hospital in the Soo, one comment that was made was, "We don't provide hotel services here. We don't bring you water; we don't give you a bath. If you want that kind of stuff, pay for it yourself." There was a big argument back and forth in various organizations.

Again, I guess my fear is that this is a further slide away from that holistic approach, where you have nurses and doctors and other professionals and people interested in the spiritual care of people who are sick in hospitals, more and more being pushed out of the way because we've got this new, high-tech supercomputer somewhere that will give us all the answers we need and we'll take care of everybody and we'll all be fine. That worries me. It scares me and concerns me deeply that this is where we're going. To be sitting here today considering appointments to this board that we're calling Smart Systems for Health makes it even more real. Are my concerns warranted?

Mr Greve: I take your concerns under advisement. I would only respond that there's never an excuse for not having good information to make the best decision clinically. That's what this system is all about. It's not indicating to you that there should not be good spiritual care or all that other care. There's no excuse for anybody not to have the data—information, best practices, research—at their fingertips to make better decisions and provide better care.

The Chair: That concludes the time allocated. Thank you very much, Mr Greve, for being with us. You may step down.

1100

WILLIAM OROVAN

Review of intended appointment, selected by official opposition party: William Orovan, intended appointee as member, Smart Systems for Health Agency board of directors.

The Chair: Our next intended appointee is Dr William Lennox Orovan, intended appointee as member, Smart Systems for Health Agency board of directors.

Welcome, Dr Orovan. As you are likely aware, you have an opportunity to make an initial statement should you see fit, and subsequent to that, there'll be questions from each of the political parties represented on the committee, who are allocated 10 minutes apiece. Just for the committee's sake, we'll note that we'll be beginning with the official opposition when the questions begin. Welcome, sir.

Dr William Orovan: I thank you for the opportunity to make an opening statement with respect to my intended appointment as member of the Smart Systems for Health Agency board of directors.

I've spent most of my adult life involved in health care delivery as a surgeon provider, physician leader, hospital administrator, and in the academic sphere as an acting dean and currently an academic chair in the department of surgery at McMaster University. I've had the opportunity to participate publicly in health care policy discussions, and as chief negotiator for the Ontario Medical Association, I've had the opportunity to play a role in developing new and innovative models of health care delivery, including primary care reform, the existing network system and the very important issue of information technology in improving quality care as well as organization and funding of care, both in the public sphere and in the academic health science centres.

Before entering medicine, I had an opportunity to work in several capacities in the business world, and I obtained an MBA from Queen's which has given me a unique perspective on health care issues and health care policy.

I'm keenly aware of the difficulties faced by our health care system and the very positive contribution that could be made to the provision of quality health care services through an enhanced role for information technology linking physicians, other health care providers and institutions in a common data network which will enhance information availability, while at the same time preserving patient confidentiality and building patient confidence.

There are, as well, significant opportunities beyond simple information transfer in the areas of telehealth, teleradiology and telerobotics which will certainly have a significant impact on delivery in the coming decade.

I think that with my varied background and experience in health care systems, I can make a significant contribution to this agency and its deliberations and actions.

I'd be happy to answer questions. I'd just say, in addition to my active involvement in medical organizations such as the Ontario Medical Association, the Canadian Medical Association and the Royal College of Physicians and Surgeons of Canada, I've taken an active interest in volunteer work in my community. I've been an active member of the board of the Hamilton Community Foundation for several years and currently act as chair of this significant community granting agency.

I look forward to this opportunity to contribute further to health care delivery in Ontario.

I'd be pleased to answer your questions.

The Chair: We'll begin with the official opposition.

Mrs McLeod: Thank you very much, Dr Orovan. It's good to have you here.

As I indicated to Mr Greve, our reasons in calling you and Mr Greve were not about a challenge to qualifications. Rather, it was an opportunity for us to find out what the government's intent is in establishing the Smart Systems for Health Agency. As I indicated to Mr Greve, the government's approach changed between the last two estimates books, whereas Smart Systems became a Smart Systems agency. Apart from what was in the estimates book, we had not really been able to get a handle on what

was planned. We've now discovered that was because the entire agency has been set up by regulation and its terms of reference spelled out by regulation. So it's not something that we've had an opportunity to debate in the House, perhaps deliberately since the privacy legislation is still such a concern.

One of the questions I asked Mr Greve, and he said the decision had not been made, was whether or not the agency is to establish a central database of personal health information. I put the question to you again because it very clearly says in the estimates outline of what this agency will do that the data centre and physical space will be created to house the computer equipment and to securely house client databases. Doesn't that sound like a central database to you?

Dr Orovan: I've certainly received no directions other than the same documents that you have access to. I would echo what the previous applicant said in terms of the utility of having available timely, accurate data information in order to make clinical decisions, and that this information ought to be available to all clinical providers on a need-to-know basis. That clearly implies some sort of central database or central databases which could be accessed, of suitable encryption to protect that. I personally think that's a huge issue, the confidentiality issue, and building confidence in patients.

One of our major issues in enrolling patients in existing primary care reform projects is the requirement that they sign a consent that information be collected and made available to their providers, and some patients, frankly, have chosen not to sign simply because of that. So there's a confidence-building step that has to go along with this. This board is a public interest board; we are charged with protecting the public interest. As a physician and as a patient, I take that charge very seriously. I think in order to make the data accessible, it has to be in some kind of a repository that can be accessed, but at the same time we have to build confidence in the patients that their confidentiality will be protected.

Mrs McLeod: One of the things Mr Greve said in responding to my colleague was that you need to have a database that gives you the information to make the best clinical decisions. I think that's a point that raises the issue of whether you have to collect that data centrally or whether you collect it in, for example, the primary health care networks and share it with that individual's immediate health care providers—two very different kinds of consent and two very different kinds of trust.

I specifically want to explore with you the uses of the data, because I've raised that issue: if we're talking about using the data for better patient treatment, then the debate is about, is it sufficient to have that data at the local level with that person's providers. But Mr Greve indicated that some of what the data is to be used for, in his view, and I think he said we'd want to persuade the board to agree, is looking at health outcomes, reporting to government and fostering public-private sector partnerships. That's an expansion of what the government has set out in even its regulatory terms of reference. Would you basically agree

that those are the further purposes, beyond patient care, of this database?

Dr Orovan: First and foremost, the issue is patient care and excellence in patient care, so I would set that aside and say that's a given, we have to do that. If, after that, there are other things we can do with the data to which patients consent that can be useful in providing better health care services to Ontarians, I'd be interested in hearing those proposals and thinking about that. Whether that might entail a better means of managing demand, looking to where there is need for certain technology or certain services that aren't being met, I think that sort of database could assist us in making those decisions.

If there are other issues around outcomes that could be gleaned from that—the government, not only this government but previous governments, have spent a lot of money on the Institute for Clinical Evaluative Sciences and they use this kind of data, available in relatively fragmented form at the moment, to make those kinds of assessments on outcome information and they've published some excellent studies. If we can improve that without compromising patient confidentiality, I would be in favour of that. But the public-private partnership thing, I don't have a feeling of how this data would enable that. It's not that I'm opposed to public-private partnerships, but I don't see this data source as enabling in that regard.

Mrs McLeod: You anticipated my next question; nor do I, and I was curious to know how you might see the data fostering public-private sector partnerships.

Would you comment, then, on the reporting-to-government aspects of the use of the data? How would you see reporting to government and in what form would the information be needed in order to report adequately to government?

Dr Orovan: Again, I think the government's interest, as I understand it, is that they'd have a yearly report from our board about the progress of integrating patient care data into our system. I don't think it's necessary, in my reading of the mandate, at any rate, to report on outcomes or any of the other non-patient-care-related things but simply on our success in building these networks. I think that's a very substantive undertaking in and of itself.

Mr Martin alluded to the number of small networks that are currently available, and there are some huge ones, interestingly, within some of our major teaching hospitals, which are host hospitals for Cancer Care Ontario. These are like silos. They can't speak to each other, they can't access data one from the other, and we would make a huge contribution if we simply concentrated on integrating all of these small disparate data sets and brought them into an integrated whole where providers, again on a need-to-know basis, could access them. So I think that's a huge task in and of itself and the one that I see is the major mandate of this. If there are other issues out of that that the government wishes us to address or that we see are important from a public interest perspective, we'll certainly be willing to listen to that and to proposals in that regard.

1110

Mrs McLeod: How do you deal with the concern of physicians around the management of their own patients' records? You'll notice I said "their own patients' records." I think the records belong to the patient, but the physician feels he is the custodian of that information.

Dr Orovan: Physicians tend to be a proprietary lot, I wouldn't deny that, but the fact of the matter is that over 90% of patient care data are generated in or on the order of a family doctor. Historically, the most complete data set has been that data set kept usually in hard copy, but now increasingly electronically within small data sets. So I think many physicians are showing willingness to do that by subscribing to the current networks, making those data more readily available. They can see the benefits to themselves when they're on call for other physicians and they can certainly see the benefit to patients. Change is never easy and change for physicians maybe is more difficult than for some others, but I think they'll embrace it.

Mrs McLeod: I don't want to misquote you. I'll have to go back and read the record, but I think you've indicated that you see a purpose to a central database and I'm fairly convinced that's what the government is looking at, given the set-up they're creating with the agency. Do you think a central database needs to be identifiable patient information or would you see a central database as consisting of de-identified health information? You don't use the material in your central database for patient management. If you're talking about patient management, you're talking about the local network having access to that information. So when we get to the central database, we're talking about outcomes and about reporting to government. I don't know what private-public partnerships are in this context, but why would you need identified patient information? Would you say, as an incoming director with considerable experience in this, that we're talking about de-identified patient information in the central database?

Dr Orovan: I think when we're talking about health care outcomes or system management issues, there is very little need for identifiable patient data. Again, I wouldn't want to make that a blanket statement. I'm sure someone from ICES would come along and point out to me the error of my ways, and I would be willing to listen to that, but as a general principle, identifiable patient data ought to be used for patient care issues. Whether it's in a central database or several peripheral databases, it can be agglomerated or accessed centrally. I don't have strong opinions about it as long as confidentiality can be maintained. But on systems management issues, I think there are few reasons to have identifiable information.

Mrs McLeod: If the participation is to be voluntary—obviously my concern is that all of this is coming in advance of our having health privacy legislation. If we had that legislation, it would either answer the questions, satisfy our concerns or give us cause to be pursuing this with very real concern. The issues around the last draft of the privacy legislation were certainly around the central

database, around whether or not there should be a lockbox on that information. How knowledgeable and how broad is the consent the patient gives when they give voluntary consent to have their information used? My belief, and it's purely intuitive, is that a patient is saying to the trusted physician or to their caregiver in the primary care centre, "We trust you to share this with the people who are going to look after us." How do you have voluntary consent apply if you're going to use it for outcome measures? You have to have universal participation.

Dr Orovan: Two issues: first of all, I think this consent issue and the privacy issue is an interim process. We've been working and beavering away at that in Ontario for some years, and they have in other provinces as well. I don't think we'll ever reach a point where we're totally comfortable with that issue, but I think there are significant benefits to be achieved on the patient care and quality-of-care side by cautiously moving forward.

In terms of patient consent, the consents are quite explicit. As a matter of fact, it caused my own spouse to change her family doctor, because she wasn't willing to get involved in that. We'll see patients and physicians who will vote with their feet on this. You asked me earlier about the potential response of physicians. I think it will be positive. If the agency builds confidence in patients that this will be protected, I think there are real benefits to patients in participating in OFHN, the Ontario Family Health Network, and in this process, and I think they'll agree. But they do have to give explicit consent. The consent forms very clearly state that this could be used on an anonymized basis for research and outcomes, and those things have caused some patients some anxiety.

Mrs McLeod: But not reporting to government necessarily. Thank you.

The Chair: We now move to the third party.

Mr Martin: Do I need to read anything at all into the fact that both of you come from or have been connected in some way with St Joseph's Hospital in Hamilton?

Dr Orovan: Only that it's a technologically advanced method of patient care.

Mr Martin: You're not imposing something that's come out of there on the rest of the province.

Dr Orovan: If we are, I'm unaware of it.

Mr Martin: There's not a conspiracy of some sort happening here. OK.

Dr Orovan: A few conspiracies have arisen in Hamilton and I don't think this is one of them.

Mr Martin: You were here when I was asking questions of Mr Greve around the issue of control and the concern I have when you look at this government and its propensity to take more and more control, particularly when problems begin to happen. We've seen agencies taken over in Hamilton—the school board. There certainly is the provision in the regulation to do that. Need we be concerned, from your perspective, about that?

Dr Orovan: As I mentioned a few moments ago, ours is a public interest board and I personally take that charge very seriously. I can't speak to government actions or

government intent in that regard. I would simply say that any time one speaks about information management, the issue of control is a shadow in the background. We have to assure, and as I said in response to earlier questions, build patient confidence that the confidentiality of their data, of their information, would be protected, while at the same time making it available to doctors, nurses and others to improve their health care. We sometimes have to take some risks in moving forward in order to achieve quality outcomes and quality care benefits. Perhaps that's one of the issues and it's up to us to do our due diligence to ensure that confidentiality and management of patients are the primary goal.

Mr Martin: There is an issue here in the province at the moment, though, about control of a number of systems. I mentioned earlier the Family Responsibility Office that was virtually folded up and placed in Toronto for decision-making and information-gathering. It has become a disaster for the whole province. Nobody can access it any more and nobody is happy with it.

We have a health care system out there that's struggling to find its feet in this, identified, as I said earlier, as the community care access centres that many of us have some real concerns about. It seems the move in health care is to a more, "Take your car in and get the muffler fixed" approach, as I said before, as opposed to a more holistic approach, and there's a move to public-private partnerships. The previous appointee in his resumé speaks about providing information to groups on outcome-oriented partnerships between the private and public sectors. I note in your resumé your affiliation with the C.D. Howe Institute. Is this indicating to us something happening here that we need to be concerned about?

Dr Orovan: You made several points. Maybe I could address a couple of them before I address the last one.

You mentioned the fragmentation of care, and there's no question that happens. As doctors can do more and more, they tend to concentrate on areas that are more and more technologically focused and less and less patient-focused. But part of that problem is that you tend to accumulate information on patients in only one small area. I think the accessibility and availability of a broader database, an integrated database, will work toward better overall patient care than the kind of segmentation you've talked about. So I see this as an opportunity to reintegrate care rather than to disintegrate it.

On the basis of the intent, I can't speak to that. My own view is that if a public-private partnership came forward with a compelling argument about how the database in an anonymized form could be used to improve overall quality of care for patients in Ontario, I would listen. I think any patient interest board of any agency should listen. That doesn't presuppose that we would co-operate or would not co-operate, but if there are issues there that can better patient care, we all better listen, because what we're doing now isn't good enough.

1120

Mr Martin: That causes me some concern, particularly when you consider the effort that a whole lot of

people are putting in out there to try to organize, in local regions, this family health network or, in Sault Ste Marie, the Group Health Centre, where the primary focus is the delivery of care and a continuum of health promotion, prevention and then after-care. We might be, in this instance, with the use of the new technologies that are available and the appointment of people such as yourself, moving to a system that is driven by public-private partnerships that's more about efficiency and cost savings and those kinds of things than the actual delivery of health care.

Dr Orovan: I think just the reverse. I think the doctors and those who participate in the Sault Ste Marie clinic or in the Peterborough clinic or in several other similar venues should be thrilled by this. We're talking about expanding that concept across the province. The only difference is that we're not talking about putting it in one bricks-and-mortar structure, we're talking about creating virtual clinics and virtual networks that can integrate all of the providers. They don't have to cancel their leases. They don't have to move into a common employment situation. They can continue to practise the way they choose, but they can be integrated into teams to provide better patient care.

Again, I see this as an additive to the kind of organizations that are set up in places like the Sault Ste Marie clinic rather than the obverse. Is Algoma Clinic the correct name?

Mr Martin: The Group Health Centre. I just have to tell you that I'm still not comfortable and convinced that this isn't an attempt by the government—given, as you have indicated, that information, where control is concerned, is absolutely central, and that's what you will be gathering here. We do have already in the health care system some very powerful groups, such as the OMA, which you belonged to and participated in at one point, the OHA and the ministry itself.

This could present, to somebody who was concerned about it, a fairly overt attempt by the government to get the information now that they need to actually take control. The provision in the act that I read earlier—the appointment of a powerful temporary administrator who may assume control over the agency at the minister's discretion—which gives the ministry, then, ultimate control, may in fact happen. We may see ourselves heading down a road that we don't want to go down, particularly given the very important debate that's happening across the country right now with the Kirby report and, soon to be delivered, the Romanow report, and where it is that we need to be going where health care is concerned.

Dr Orovan: I would simply say my name is Orovan, not Orwell. I'm not interested in that kind of centralized control. Call us back here in a year or two years or read our annual reports to the government, and I think you'll find that we've made significant progress.

The reference to Senator Kirby: that was one of the main tenets of Senator Kirby's interim report and his final report, that we need to reorganize primary health care delivery, and one of the important aspects of that is

information technology and information management. I suspect, although one hesitates to predict what Mr Romanow may say next month, that he will say the same thing. This is a method, an important component of that reorganization and that improvement in primary health care services delivery.

Mr Martin: Thank you.

The Chair: That does complete your time, in any event. We now move to the government caucus.

Mr Wood: If an electronic information processing system were to be developed to your satisfaction, what sort of cost savings do you think you might see in terms of the processing of information? Have you given any thought to that? By cost savings, I'm thinking in terms of 5% saving, 50% saving. I'm not looking for a dollar number.

Dr Orovan: Probably between the two: more than 5% and less than 50%. One of the problems is that we just simply don't know. We have some access to survey data. We have some studies done by ICES that I referenced earlier that suggest there is a moderate amount of duplication within the system now in terms of diagnostic testing, both laboratory testing and diagnostic imaging. We really don't know how much.

We know as well that there are delays associated with gaining access to care that have costs associated with worsened outcomes, but we have no way of quantifying that, and some of the discussion around utilization of anonymized portions of this database to assess outcomes information and accessibility information may give us an answer to that question. I think at this point one of the most difficult things in all of this is that we spend in this province in the neighbourhood of \$23 billion or \$24 billion on health care annually and we have very little idea about what we get out of it.

Mr Wood: If we were to do what I think is probably needed with respect to health privacy legislation in the health area, how long do you think it might be before we would have a functioning electronic information processing system in health?

Dr Orovan: We have the beginnings of it now. Some people have developed it in isolated environments. We have the Ontario Family Health Network now; I think at last report about 65 or so doctors signed up. The government set an optimistic target of 80% of integrated family practices by 2004. This will not be easy in the beginning. There are confidence issues both for doctors and for patients, but I do think if we do this right, and that includes the primary care reform issues that are already in place in this adjunct, that physicians will come on board. I would hope that within a reasonable time, of the order of five years, we could have a significant integrated information system of the kind this agency contemplates.

Mr Wood: Setting aside the question of participation, would the five-year time estimate apply to having a functioning system regardless of how many may end up participating in it? Would you think it would take that long to get a functioning system?

Dr Orovan: I haven't discussed this with the chair, who is probably boring into my back at the moment, but I think that's a reasonable sort of time frame.

Mr Beaubien: Dr Orovan, you mentioned that change is difficult to embrace at times. For some medical practitioners, I think it's probably—

Dr Orovan: Everybody.

Mr Beaubien: I think for everybody. You talk about the linking of physicians through e-health. Sometimes I wonder whether we try to solve all our problems using computer and information technology. I do agree that there is an awful lot of merit with regard to telehealth and teleradiology, especially for remote northern and rural areas that can benefit, and I come from a rural area.

The concern that I have when you're talking about linking of physicians through information technology or whatever you want to call it, is, in Ontario we've got a plethora of different delivery systems: we've got the single family physician working in remote areas or in large urban centres; we've got the family health network; we have community health care centres. As a director of this organization, how do you see the process proceeding into the future? You mentioned a period of five years because you said it's not going to be easy to get the program going. But as a director, what would be your vision, especially when we have, again, a mix of medical practitioners? I'm sure the younger ones would be more receptive to embark on this program as opposed to the people who may have blond hair like I have and may be a little more set in their ways. What's your vision on this?

Dr Orovan: In my capacity with the Ontario Medical Association, I always maintained vigorously that this ought to be a voluntary process, both for physicians and for patients. That's why I think it's so important, and I've stressed this several times in my responses, that we build confidence among both of those groups. That's not to exclude the other providers either, because there's a spectrum of opinion among nurses, for instance, on how they should be integrated into the system. As you know, this government has reacted recently in terms of nurse practitioners and created opportunities for them to be in independent practice. That's a little bit counter-productive to the direction that this initiative is going.

And you're right, there will be doctors, practitioners, who will never embrace this, no matter what the benefits. Those who are getting close to retirement will simply not see the benefit in investing time or resources in doing it. There are some who will protect their right to individual practice to the bitter end. But I think with the changing demographics within the medical profession that you alluded to, we'll see an increased willingness in the years to come to embrace this kind of team approach. Frankly, medical schools have to do better than we have done in the past in admitting physicians at least in part on the basis of their willingness to work in teams. As an acting dean, I can tell you that it was never a big thing, in terms of medical school admission criteria, whether or not you were likely to be a good team player. We have to change that. We need to look to skill sets within providers that fit

more readily into the kind of environment that we foresee in five or 10 years.

So this agency board has a significant task ahead of it. It's only one of the components of this complex change that we're trying to promote, but it's an important one.

1130

Mr Beaubien: I think it has an awful lot of merit, but you pointed out that you do have some concerns with regard to some of the cultures that exist in the system. I think that's going to be a major challenge. Sometimes I wonder—you mentioned five years. Hopefully you're right. I'm not going to say whether you're Dr Orovan or Dr Orwell, but we'll leave it at that.

The Chair: Thank you very much for being with us, Dr Orovan. You may step down.

Mr Johnson: Is our time up?

The Chair: If you want to ask questions, I'll not see the clock.

Mr Johnson: Mine was a little bit of maybe asking a question, but of suggesting what I expect will be the outcome as well. I'm not part of the medical profession, and yet I have some expectations.

I can remember a few years ago suggesting—for instance, when a sick patient was discharged from the hospital, they were wheeled up to the exit door of the hospital and got into a car or an ambulance or whatever to take home. Then home care would take over. So the nurse would, as soon as the person got home, go in the house and first of all had to start with, "What's your name and address and why have you been in the hospital?" It seemed ludicrous to me at the time that the nurse at the hospital couldn't get in the car, fill in the report on the way home, go in, and whoever then came into the house could start the process seamlessly. So I guess that's one of my expectations, that the silos or however you want to describe it, the barrier between the hospital and home care, has to go.

The other comment I wanted to make was about the expectation of people. A couple of years ago I had angina. I lived in Listowel, by the way, and our medical clinic with doctors is right across the street from the hospital. They are computerized now, so that if I went into the hospital for an X-ray, the doctor could sit in his office and say, "The X-ray is all right; his blood pressure is all right. Send him home." Because I had this pain in my chest a few years ago, I went to the hospital here in Toronto because I was in Toronto when it happened. It isn't any good that that file sits in the doctor's office in Listowel and the specialist down here doesn't have access to it. With respect to the central database and everything, I don't care whether it's centralized. It has to be accessible to those who need it.

There's one other thing, Doctor, that I wanted to express. I come from an area very close to quite a community of Mennonites. I remember the VON nurse telling me about the first time that she established a pain pump in a Mennonite's home, on home care, and had to set it up to work on a 12-volt battery because they don't have electricity.

I guess I would like you to consider those three concerns and think about when you're establishing the criteria for information, because all of those expectations on my part are there for the solutions that you and your group will have to contemplate over the next few years.

Dr Orovan: I completely agree. You've documented one barrier, that between acute care institutions and home care. Certainly that's right, but there are similar barriers between acute care institutions and chronic care institutions, and private practitioners and chronic and acute care. So we have to look at all of those issues. That's why I'm personally excited about this initiative as allowing us an opportunity to break those down.

The accessibility is absolutely right, that not only should your doctor in Toronto have access to the information, but it ought to be in a usable form. That is to say, he or she ought to be able to access in digital form the X-rays that were taken or to be able to see the EKG tracing and not just read the report. So we have to make sure that we build a base that allows that to happen. I think there are tremendous possibilities here, none of them without some risk. We need to ensure that we gain the benefit at the least possible risk.

The Vice-Chair: Mr Mazzilli, I understand that you have a quick question you want to ask. We're running out of time.

Mr Mazzilli: A very quick question. I know that people talk about the savings, but this is all about better care and a more functional system for all the providers.

The one thing that does worry me when we talk about integration, whether it's silos or professions, is that as soon as you try to integrate everybody—probably 90% of the system can be integrated with very few providers, very few silos, and then you go broke trying to integrate the other 10%. I've seen it in other initiatives and that's what worries me about this initiative. People will be coming to you and saying, "Can we integrate this part of the system or that part of the system?" What I'd like to see is that it doesn't become a runaway train that becomes dysfunctional. It's like spending 90% of your money going after 10% of the business. Do you have any concerns in that regard?

Dr Orovan: I think you're absolutely right. It's probably the 80-20 or 90-10 rule, that we can achieve 90% of the benefit by involving 10% of the providers. Without being disrespectful or provocative—is it necessary that every naturopath has access to this and that we spend a whole lot of money integrating that? Probably not.

Mr Mazzilli: I've seen projects that likely will be cancelled because they try to integrate the 10% rule—

Dr Orovan: I think we understand the importance of the basic data set. The previous witness mentioned the emergency record. That's a pretty easy one to start with. I think we can move forward in a way, as I said in response to an earlier question, that maximizes the benefit at minimum risk and cost.

Mr Mazzilli: That's my only question and caution.

The Vice-Chair: Thank you very much, Dr Orovan. Thanks to all three parties for the questions.

We will now move to concurrence of the reviews that were done today.

Mr Wood: I move concurrence of you, Mr Slomke.

The Vice-Chair: Mr Wood moves concurrence of Mr Slomke, intended appointee as member of the council of the College of Dental Technologists of Ontario. Is there any discussion? All those in favour? None opposed.

I will now remove myself from the chair and allow Mr Bradley to come back into the chair. We're on the second appointment, Mr Bradley.

The Chair: Thank you very much.

Mr Wood: I move concurrence for you, Dr Greve.

The Chair: Concurrence has been moved re Mr Greve. Any comment?

Mrs McLeod: I won't be lengthy. I do think it's important to make note of the fact that while we will not be supporting these two appointments, it is not related to the qualifications of the individuals but is related to our very real concern about the way in which the agency is being established.

We certainly believe that there have to be smart systems for health and that those can lead to better patient care and better coordination and integration, but we have very real concerns about the government having, by regulation, established an agency which is in fact, as it is set out, to establish a central database. On that basis, we have to express our concerns with anybody being appointed to the agency at this point in time, given the privacy commissioner's very real concerns about the establishment of any central database for reporting.

It has been indicated by Mr Greve today that that is one of the goals he would bring to the agency: reporting to government and using a central database for that purpose. That is very much against what the privacy commissioner has recommended. In the absence of privacy legislation, we don't have answers to the questions we have.

We really do believe that the issue of trust Dr Orovan spoke about has not been established by the government. I'd just lastly say that the issue of trust becomes a concern. When I read the regulations, that you have to know exist before you go and look at them, in section 8 of the regulations it gives the minister the power to make binding policy directives for this agency. No matter how well-intended the directors may be, if the government's intention is to get hold of personal health information under the regulations establishing this agency, the minister can do exactly that. Given this government's history, given the concerns around health privacy, we just simply in good conscience cannot support appointments to an agency at this point in time.

1140

Mr Bradley: Any further comment?

Mr Wood: All I'd say in response to that is this committee has a mandate to review the functioning of any of the agencies. If anyone is concerned about how an agency is functioning or unfolding, they should bring before this committee the possibility of reviewing the agency. I think there are avenues available to find out the

information that people want and make recommendations where they think it's appropriate.

1140

The Chair: Thank you for that suggestion, Mr Wood. That's a very good suggestion. Members of this committee have to dwell on that fact from time to time. We do have an opportunity to try to call agencies before us and deal with them. I think your suggestion is a good one. Any further comment?

I'll call the vote. All in favour? Opposed? Carried.

Mr Wood: I move concurrence re Dr Orovan.

The Chair: Concurrence has been moved re Dr Orovan. Any comment? If not, I'll call the vote. All in favour? Opposed? Carried.

We have now completed our appointments review section.

Mr Mazzilli: Just for the record, I'm somewhat confused, because I heard from the official opposition that they were not disputing the doctor's qualifications, yet they voted against him. So I suspect there would be some kind of dispute. Just a clarification, because you say one thing and you vote a different way.

The Chair: Does anybody want to respond to that?

Mr Michael Gravelle (Thunder Bay-Superior North): I'm sure Mrs McLeod would want to respond to that. You made it very clear, I thought.

Mrs McLeod: I thought I made it quite clear that we couldn't support the appointment of any directors, no matter how qualified, to this agency because we can't support the appointment of the agency at this point in time in the way the government is establishing it.

Mr Mazzilli: That really clarifies it, Mr Chair. I have no other questions.

The Chair: I think that is clear for everybody.

COMMITTEE BUSINESS

The Chair: We now move to the Sudbury Community Care Access Centre agency review committee briefing.

Mr Gravelle: I think, as all members here know, we were hoping to move forward with the review of the Sudbury CCAC and begin with a briefing today, but I've had an opportunity to speak to Mr Martin and Mr Wood, and two of the people that Mr Martin and I both wanted to call forward for part of the agency review are not available. One of them actually declined, and that's an interesting issue all on its own in terms of appearing, but one person we very much wanted to appear is not available until January.

Certainly, Mr Martin and I are very keen to move forward on this, and perhaps move forward in sort of one piece, and it seems to me, in that we are very keen to do this, that it would make some sense to recommend, and I could do it by way of motion, that we delay the review of the Sudbury CCAC until the intersession if we cannot get those people to appear before us.

My understanding from speaking to Mr Wood is that it would be difficult for him to agree to that immediately, because there needs to be a resolution of the House in

terms of us sitting during the intersession. But I am working on the presumption that indeed we will be able to meet. Again, it's a presumption, and I appreciate that Mr Wood has to do some work. But I would like to move that we defer the review of the Sudbury CCAC until the witness and/or witnesses are available, which is in January, and I ask that we defer this until the intersession between Christmas and March.

The Chair: Any comment?

Mr Wood: If I might, Mr Gravelle was kind enough to let me know that he was going to present this motion. I'd like a little time to digest it and discuss it with the other government members on the committee, so I'm going to propose that this particular motion be deferred one week for consideration.

However, we are going to have to give the committee staff some direction as to whether or not we are proceeding. So maybe what we have to do is decide today for the next few weeks. If we're not going to deal with the CCAC for the next few weeks, I think we've got to let our committee staff know today. I'd like to suggest, number one, that the motion be deferred a week for the reasons I just outlined, but having said that, I think we have to give some clear direction over the next few weeks to the staff as to whether or not we're going to be taking time to do the CCAC review. If we aren't, they can of course plug in intended appointees.

Mr Martin: It's certainly my strong feeling that we want to proceed. We've run into a bit of an obstacle at the moment in terms of some of the witnesses, one of them in particular, who can only appear in January. I agree with Mr Gravelle that it would be better, instead of breaking it up over a two- or three-month period, that we do it all in one day, for example, perhaps in January during the intersession. I certainly have no difficulty from our caucus getting agreement from the House leader to have that happen.

I would agree that for the next couple of weeks we can move forward with the consideration of appointments. It's not our intention to do this review until we're able to get down here at least the one witness who has agreed to come, but can't come until January, so that we can talk to him and do it in the context of the overall review.

Mr Wood: I'm wondering if we should indicate that we wish one week from today to be used solely for intended appointees, perhaps the two-week slot after that to be used only for intended appointees, and leave the time after that open to further consideration. In other words, I'm suggesting we give direction to the staff that the next two meetings are to deal with intended appointees and not the CCAC. After that, the question is open for further consideration and decision.

The Chair: That sounds like a motion to me.

Mr Wood: If that seems to be well received, I'll move—

The Chair: I'll find out if it's well received. Perhaps instead of an informal discussion, I'll get you to make a formal motion.

Mr Johnson: As a point of order, Mr Chair, I think there's a motion on the floor.

Mr Wood: I'd like to move that motion be deferred for one week, the consideration be deferred one week.

Mr Gravelle: I don't mean to talk in motions. I think that's fine and I think Mr Martin would agree it's fine too, as long as there's an understanding, Mr Wood. Obviously, one of the concerns you expressed last week was whether or not we would be using up time in our weekly sessions in terms of the CCAC review, which would not give us the ability to handle appointments.

I agree with Mr Martin in saying that if we are able to defer this and we are sitting during the intersession, this would allow us to do the review in one day. We've sat in intersessions before; we've sat throughout the day; we've gone from 10 in the morning to late in the afternoon. That would give us an ability to do the entire process in one day, which hopefully would be helpful. I guess I want some sense from you that indeed it is your intention, with agreement from the people who make these decisions, to let us work on the presumption that this will go forward during the intersession.

Mr Wood: No. All I'm saying is I want a chance to think about this, digest it, discuss it with the other members. I'm giving no indication one way or the other because I haven't come to any conclusion as to what my position might be. I want a week to consult and consider.

Mr Gravelle: But if we sat during the intersession?

Mr Wood: I understand that's the request. I'm sharing with you that I've come to no conclusion one way or the other. I don't want you to think I'm agreeing to anything in principle, because I'm not, nor am I disagreeing with anything. I'm requesting time to give careful—this being a deliberative body, I like to deliberate from time to time, as I know all the members do. Some of us are faster than others.

Mr Gravelle: Certainly I agree to have my motion deferred for a week. I'm here to vote on that, I suppose.

The Chair: Any further discussion?

Mr Mazzilli: Just a small comment. I know Mr Gravelle said that people are declining to come from Sudbury. I'm wondering if it's the new funding that they've received, the increased funding that's made the CCAC a better place that serves the community. That might be the reason people no longer have a reason to come before this committee.

The Chair: It was an excellent question. I wonder whether people have the right to decline to come before the committee, or whether the committee has subpoena power.

Mr Wood: I think we have the right to issue a Speaker's warrant. Whether we would do that, of course, would be a matter of discussion by us, and then by the House itself. I don't think the committee has the power to do that, I think the House has to do it, do they not?

1150

The Chair: Yes. As a Chair, as a member of this committee, it concerns me when anybody refuses to come before the committee. It helps our work, I think, when people will come before the committee, no matter what they say. They may say what some on the committee

want to hear; they may say what others on the committee don't want to hear. I accept that. I just worry, as committee members, when we ask people to come before the committee and they refuse to do so. That concerns me. It limits the work we can do when people refuse to come before the committee. Any comment on that?

Mr Wood: My criteria on that might be a little narrower than yours. I think there are circumstances where a Speaker's warrant might be justified. If it's a matter of general policy advice, if someone really doesn't want to offer their opinions, I'm not very big on the idea of forcing them to do so. On the other hand, if there's information relating to a particular matter, there may be cases where we have to issue a Speaker's warrant. So my criteria might be narrower, but I think I'd agree there are circumstances where it may be necessary to compel testimony.

Mr Gravelle: It concerns me as well, but I would like to think we can discuss this in a week's time. I'm going to do whatever I can to try and perhaps speak to some other people involved and try and bring some other names forward. I think what we want to do is have peace. Mr Martin, I agree. It's very important that we do it.

Just to comment on Mr Mazzilli's comments, I suppose that's a possibility. The other one is that they're kind of afraid to come forward because they might be punished for speaking up publicly about some areas that they wouldn't like. So we need to find out.

Mr Mazzilli: When they hear you're considering issuing a Speaker's warrant to compel them to come before you, I would suggest that at that point, if I heard that, it would make me very nervous. When we talk about how people feel intimidated and threatened, there are many ways, Mr Gravelle. We chose to review these agencies. They were your picks. I would have suspected that they could hardly wait to get here. That's certainly not what we're finding. I leave it before the committee to go further on the matter.

The Chair: As legislators, putting aside our partisan hats, I think we worry, I can't speak for all, but there's always a concern that people would feel intimidated in any direction about appearing before a committee. Let's speak generically, not about a specific government. Over the years, in various Legislatures and parliamentary bodies, some people have felt that governments of the day, whatever they happen to be, exert some pressure on people not to express contrary views. There may be other, as you mentioned—

Mr Mazzilli: Or supportive views.

The Chair: Yes, there may be other circumstances. So it concerns me. I think the best thing for a committee is to have as many people appear as possible, express their views frankly and freely, so that our committee can do our job well.

Anyway, we're diverting a bit from Mr Wood's motion. But Mr Martin has a comment as to Wood's motion.

Mr Martin: In response to Mr Mazzilli's comment, the person we were hoping to bring before this committee

has been before committee before. He's a person who has, for very legitimate reasons, challenged a directive coming from the top in terms of how we deliver health care in this province on another occasion and found himself out of a job. In this instance, the very same thing happened. Acting on behalf of the constituents he serves—that this isn't going to work, that this isn't in their best interest—he found himself out of a job.

If you want to talk about intimidation, there's nothing more intimidating than actually participating in a public process, justifying that after you've done that, and depending on what you've said, you've lost your ability to support yourself and your family. That's the kind of intimidation that affects people, I would suggest, most directly. He came down and participated in a discussion on another agency, and the fact there is that even with the best of intentions, and the tremendous deputation here, it didn't make any difference. So it might be that the other thing is that he says, "What the hell's the point coming and talking to these folks and exposing yourself and making the effort when you know that in the long run it ain't going to make any difference with these guys anyway?"

We've seen, just looking at the appointments that have been made to community care access centres, on February 16 of this year there were literally well over 100 new appointments made to community care access centres right across the province. That means that for every appointment there was a disappointment, there was somebody turfed, somebody kicked out, somebody removed from this position of serving the public, and somebody else put in their place. We have chairs who have been appointed, we have members who have been appointed, and executive directors who have been appointed following the legislation that this government brought in before Christmas of last year that was likened by many of us to a hostile takeover of community care access centres.

There is a lot of fear and anxiety and sense of intimidation around this, and what's going to happen to you if you have the intestinal fortitude to come forward and to speak up. So it's not just a question of, you know, "Well, Sudbury got a lot of money." I suggest they probably didn't get much money and in fact the only reason that they're working within their budget any more is because they've been told to do so. New appointments have been made, both to the position of chair and to the executive director of that agency and told to follow suit, to do what they're told. It's the same in probably every community care access centre across this province, which we'll get

into when we review those centres. But to suggest for a second that these people aren't coming forward because all of a sudden the situation in Sudbury has turned around and everybody's getting everything they need is just not where it's at.

Mr Mazzilli: I certainly want to touch upon appointments, whether it's CCAC or others, whether they're volunteer boards or paid boards. I mean, the one thing we hear continually is, someone was disappointed. These are not positions for life; they're an opportunity for members to serve their community either in a volunteer capacity or a paid capacity. So when I hear from members that this one person was disappointed after 10 years—

Mr Martin: If it was one person, it would be fine, Frank, but it's not. We're talking probably well over 100 people and all of a sudden one day in this province—

Mr Mazzilli: There have been people appointed to boards for the last 10 years. If they're paid jobs, they were never intended to be full-time-for-life jobs, and if they're volunteer positions you certainly want people in the community to get an opportunity to serve on those boards. You don't appoint someone and leave them there forever. So whether it's three years or six years, at some point you've got to give someone else a different opportunity to serve.

We can argue all day long. Perhaps things are a little bit better in Sudbury. That's all I suggested.

Mr Wood: We have a motion to—

The Chair: We have a motion, Mr Wood. Thank you for calling that to our attention again. All in favour of the motion?

Mr Johnson: Could I have that motion repeated? I've forgotten just what it is.

Mr Wood: I move that consideration of Mr Gravelle's motion be deferred one week.

The Chair: All in favour? The motion is carried unanimously.

Mr Wood: I will place another motion: that we indicate to staff that the next two meetings of the committee are to deal only with intended appointees and that the committee will give further direction as to the agenda for meetings after that.

The Chair: Any discussion? If not, I'll put the motion. All in favour? Opposed? The motion is carried.

Any other business for the committee?

Mr Wood: I move adjournment of the committee.

The Chair: Mr Wood has moved adjournment of the committee. All in favour? Opposed? The motion is carried.

The committee adjourned at 1159.

CONTENTS

Wednesday 30 October 2002

Subcommittee report	A-111
Intended appointments	A-111
Mr Watson Slomke	A-111
Mr Allan Greve	A-114
Dr William Orovan	A-118

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Wayne Wettlaufer (Kitchener Centre / -Centre PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Marcel Beaubien (Lambton-Kent-Middlesex PC)

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell L)

Also taking part / Autres participants et participantes

Mrs Lyn McLeod (Thunder Bay-Atikokan L)

Clerk / Greffière

Ms Anne Stokes

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

CANON
XC19
-G52



ISSN 1180-4335

A-9

A-9

Legislative Assembly of Ontario

Third Session, 37th Parliament

Assemblée législative de l'Ontario

Troisième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 6 November 2002

Journal des débats (Hansard)

Mercredi 6 novembre 2002

Standing committee on
government agencies

Comité permanent des
organismes gouvernementaux

Intended appointments

Nominations prévues

Chair: James J. Bradley
Clerk: Anne Stokes

Président : James J. Bradley
Greffière : Anne Stokes



Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 6 November 2002

Mercredi 6 novembre 2002

The committee met at 1002 in room 151.

SUBCOMMITTEE REPORTS

The Chair (Mr James Bradley): I'll call the meeting to order. We have two subcommittee reports, the first one dated Thursday, October 10, 2002. I'll read it for you.

Mr Bob Wood (London West): I'm satisfied with it.

The Chair: And you're prepared to move it?

Mr Wood: I am.

The Chair: This is the subcommittee report: there were no selections on October 10, 2002. Any discussion? All in favour? Opposed? Carried.

The other one is for Thursday, October 31, 2002: no selections.

Mr Wood: I move its adoption.

The Chair: Adoption is moved by Mr. Wood. All in favour? Opposed? The motion is carried.

INTENDED APPOINTMENTS

CHRISTINE TEBBUTT

Review of intended appointment, selected by official opposition party: Christine M. Tebbutt, intended appointee as member, council of the College of Audiologists and Speech-Language Pathologists of Ontario.

The Chair: Welcome to the committee, Ms Tebbutt. As you probably know, you have an opportunity to make an initial statement, should you choose to do so. Subsequent to that, questions will come from members of the committee.

Ms Christine M. Tebbutt: Thank you. I'll start by making a brief statement. Members of the panel, I sincerely appreciate being given the opportunity of speaking before you today. My name is Christine Tebbutt, and I'm a resident of Mississauga South. My interest in being able to join the council of the College of Audiologists and Speech-Language Pathologists stems from the fact that my husband, Bob, has just recently undergone care and fitting of a hearing device. As well, my son Jeremy had a cholesteatoma removed from his left ear. It was one of the largest the Hospital for Sick Children had seen. Thankfully, it was successfully removed over a period of several years. My son is now 15 years old. He will always suffer from a slight hearing

loss on good days, and on bad days he gets severely under the weather.

I have no other credentials, only the ferocity of being the mother of a child who has suffered great ear pain but who has also received great kindness from Dr Friedberg of the Hospital for Sick Children's ENT clinic. I see this board as my way to witness and to participate with these two professions that have made such unique contributions within the health system of Ontario. I have read as much information as I have been able to research. Although I believe that the system does not require dismantling, recent cutbacks and erosions are troublesome.

I think there is a need to expand delivery of audiological and speech-language therapy services through better public awareness programs and also that these services are delivered with care to make them sustainable and cost-effective to the general public.

I applaud the Ministry of Health for their initiatives in the preschool speech and language systems, as well as speech-language pathology services in the home care system. I also look forward to being part of a new community that recognizes the abilities and contributions of its members and that I, as a public appointee, will keep the best interests of the people of Ontario close to my heart.

I hope that my contribution would be one of support to the board, to help coordinate a more effective strategy to ensure public awareness and, therefore, better access to audiologists and speech-language pathologists in Ontario.

The Chair: Thank you. We commence our questioning with the third party.

Mr Tony Martin (Sault Ste Marie): Good morning. My first query would be, given there's a variety of opportunities to participate in this way, playing the role of watchdog or giving advice or whatever to government agencies and boards, besides the fact you had some personal experience that gave you some insight, maybe you could share with me: why this as opposed to others? Did you look at anything else that you might have an interest in in terms of an appointment?

Ms Tebbutt: Yes, I did scroll through everything that was available on the Net, and I ended up choosing this board.

Mr Martin: What are some of the issues you've identified as needing to be addressed by this board?

Ms Tebbutt: Public awareness.

Mr Martin: Given the fact the board is overseen or governed by the Regulated Health Professions Act, are

there any issues you're aware of there that are of concern?

Ms Tebbutt: There are several issues, but it's all within the mandate that's been given to the board that I would be required to work under.

Mr Martin: Are you aware of the Regulated Health Professions Act at all and what it calls for?

Ms Tebbutt: Yes, I've read through it. Hopefully, I will get much better at it.

Mr Martin: Any idea as to the challenges faced by people in this profession in places like northern Ontario?

Ms Tebbutt: Because they are not able to get to physicians for referrals.

Mr Martin: They're also not able to get lots of other professions as well. I see in my own newspaper, on a fairly regular basis, advertisements for speech pathologists and audiologists by school boards, health units etc, but they don't seem to be able to attract them or keep them. Do you have any idea why that might be?

Ms Tebbutt: I think it's also because there are just three universities, aren't there, in Ontario that offer this program. That's one of the reasons I'd like to do a much larger public awareness program, so we can attract more students into both these professions.

Mr Martin: OK. Those are all my questions.

The Chair: We now move to the government side.

Mr Wood: We'll waive our time.

The Chair: The government has waived its time.

Mr Norm Miller (Parry Sound-Muskoka): Wait.

The Chair: Oh, sorry. Mr Miller. I'm glad you're able to participate.

Mr Miller: I'm glad to be here. I just wanted to make a point of introducing my son Winston, who is here today on "follow your dad to work day." Winston, would you stand up?

The Chair: Winston, I think it would be a good idea for you to come up beside your father so the camera can catch you. If the committee will tolerate this, you can come up for a moment and stand behind your father so the camera can get you, and everybody in the province will know you're here today.

Mr Gerry Martiniuk (Cambridge): And you're not playing hooky.

The Chair: Even though we can't see it in our own monitor, people across the province can be looking at this now. Welcome to the committee. It's very nice to see that. Any other questions from the government?

1010

Mr Wood: We'll waive the balance of our time.

The Chair: It's now 10:10. I'm going to move out of the Chair for a moment and direct some questions.

The Vice-Chair (Mr Michael Gravelle): That being the case, I will ask the official opposition if they have any questions. I presume, Mr Bradley, you may have one.

Mr James J. Bradley (St Catharines): Yes, I do have some questions. This is regarding the whole situation with audiologists that exists in the province. I have been contacted, as some members have, by people who have provided a service in years gone by and now are

prohibited from doing so. I'll bring this matter to your attention and I'll just get you to comment, if you will. I understand that it's not easy to comment in these circumstances.

There is an individual, for instance, who is an audiologist. There was new legislation, as you would be aware, in 2001 governing audiologists. Since the new legislation came into effect, this individual's practice—he's an audiologist—has dropped considerably. He's now obliged to bill OHIP through an ear, nose and throat specialist's office, which means he must give up his office and move in with a specialist.

Since the new legislation, ear, nose and throat specialists have started selling hearing aids. In the past, only audiologists sold hearing aids. He compared this situation to that of an ophthalmologist and optometrist: the optometrist sells glasses and the ophthalmologist does not. This allows them both to make a living. He would like to know about the legislation. He presently has over \$355,000 worth of equipment and his overhead is usually \$260,000 a year.

Here is a person who was an audiologist and who is now, as a result of legislation, forced to work with an ear, nose and throat specialist. Before, this person used to work directly with the public, make a living—that's not primarily your concern or our concern—providing a service, and now he is not. Do you have any comment on that? Is there anything you would have to say about that?

Ms Tebbutt: No, I'm sorry I don't.

Mr Bradley: I would just want to alert you that that may be something you may be confronted with as information comes forward in this regard. I just thought this was an ideal opportunity to mention this, because this is the board we're dealing with. This was a significant change made by the government of the day, the present government, which I think all of us would know garnered some considerable opposition—and there would be some support for it as well. So I simply alert you to the fact that you may be hearing, indirectly if nothing else, from people who are in that situation.

Do you believe that audiologists themselves should be able to work independently of ear, nose and throat specialists?

Ms Tebbutt: It's a little bit unfair for me to comment on that because I would want to go on the board first to understand all the issues.

Mr Bradley: OK, I will leave it at that. I know Mrs Dombrowsky wants to ask questions now. Thank you very much. I know I caught you off guard with that. I'm not trying to be unfair to you; I just thought I'd put that out there because this is definitely an ongoing issue with both the patients of audiologists and certainly with audiologists themselves. So I'll leave that with you and I'll pass it over to Mrs Dombrowsky.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I'm very happy to follow up on the line of questions Mr Bradley has initiated. There has been a change very recently. People in Ontario previously were able to access hearing services or hearing

tests at the offices of audiologists. Now they are required to do that at the office of a medical doctor.

It has come to our attention, and I find it rather strange that in medical schools, doctors are trained in this particular area—medical doctors, not specialists, of course. ENT specialists have additional training in this area, but family doctors receive their training from audiologists. Now the law has been changed, which will prevent those people who actually train doctors in this area from providing the tests that doctors will now provide. I'm sure you might appreciate why, for many people who access these services, this is much more than passing strange.

It also compounds the challenge for individuals to access these services, given that in many communities in this province there are doctor shortages. So people who before were able to access hearing tests, because there were audiologists who were providing them within the community, now have the challenge of being required to obtain these same tests at a doctor's office. If they have not been able to obtain a family physician, it becomes almost impossible for them unless they then go to a specialist. I think we know that in order to acquire an appointment at a specialist's office, you need to be referred by a family doctor.

I offer this to you to provide you with some background and understanding around the problems that are out there. As a user of the service—you indicated in your opening remarks that your family has had occasion to access these services—I'm sure you can appreciate the great frustration that an individual in need of this particular service would have if they couldn't get it.

I guess my question is a preamble to a question for you. As a member of the college, do you think you would have a role to play in terms of advocating for better access to these services for the people of Ontario, and perhaps a reconsideration of the expanded role that audiologists once enjoyed, no longer do, but probably should?

Ms Tebbutt: I do understand the problems that audiologists face. I think within the last couple of months that's all I've heard from the gentleman who fitted my husband's earpiece. I have a family experience through Sick Children's with my son as well as with my husband. I do realize that audiologists too have a minimum amount of education that has primarily been on audiology, whereas family physicians have a part of that education. I do understand those problems and I look forward to being on this board so that I could continue to explore and see if there is more awareness, more public acceptance, but to work within the guidelines of the board.

Mrs Dombrowsky: I guess my question is, do you think you have a role to advocate on behalf of the patients for better access to these services? Their access, in my opinion, has been limited as of June 2001. I'm sure you can appreciate the frustrations there are within communities now because services that were once easily available to people who had hearing problems now have challenges of making appointments with doctors, if they

have a doctor—and that is a crisis in many communities in Ontario. My concern is for those people who require these important services and are not able to access them now because of the physician shortage in the province.

I wonder if you think you might have some role in advocating for better access for people who require these services. I know you're part of a college, but does the college have a responsibility in any way to advocate?

Ms Tebbutt: I don't know.

Mrs Dombrowsky: OK, thank you.

1020

The Chair: Mr Gravelle, you have time for one question.

Mr Michael Gravelle (Thunder Bay-Superior North): I'm a little taken aback, may I say, that you didn't do more research related to this particular position. The question is—I have a couple and I haven't got time—did you decide there was no point, because you were a public member, in actually doing research on some of the issues associated with audiology, because there are some very sensitive issues we've obviously been trying to bring forward during the interview with you today. Did you decide it wasn't necessary to do that or did you deliberately decide you didn't need to do any research before you appeared before the committee? It just strikes me as strange that you aren't more familiar with some of those issues.

Ms Tebbutt: I thought I did quite a lot of research, having been involved with audiology on a personal basis, and now I'm trying to understand the issues surrounding it. I will keep on trying to understand and properly fulfill those duties.

The Chair: That's it, Mr Gravelle. I'm always the one who seems to cut you off, but there you are. That concludes the time allocated. Thank you very much, Ms Tebbutt, for being with us, and you may step down at this time.

Ms Tebbutt: Thank you.

The Chair: Our next intended appointee is unable to be with us today, Frank Scarpino, so we will have to move to the next individual—

Mr Wood: I wonder, on that point, if I might ask unanimous consent of the committee to extend the time to review Mr Scarpino by 30 days?

The Chair: Does everyone agree to that? All in favour? Opposed? Carried. Thank you very much, Mr Wood.

DONALD GREENHAM

Review of intended appointment, as selected by official opposition party: Donald Greenham, intended appointee as member, Social Benefits Tribunal.

The Chair: Our next intended appointee is here today. He was scheduled for 11 am, but he is prepared to be here now. This is Donald Greenham, intended appointee as member, Social Benefits Tribunal. Sir, you may come forward. Thank you for being here good and early, and we're able to bring you on early. As you are aware, you

have an opportunity to make an initial statement, if you see fit. After that, there'll be questions from the committee. I think you've observed that. Welcome, sir.

Mr Donald Greenham: Thank you very much, Mr Chairman, and good morning, members of the committee. I'm pleased to appear before you today to participate in the interview process concerning my potential appointment as a member of the Social Benefits Tribunal. I appreciate the opportunity to tell you a bit about myself and why I would be an asset on the Social Benefits Tribunal.

I'm married and have two teenagers, a 15-year-old in grade 10 and an 18-year-old in university. I began teaching when I was 19. In those days, you could go directly from high school to teachers' college and teach and get your degree later.

I was in the school system for 35 years as a teacher and guidance counsellor/social worker, and I might want to expand a little bit on that. It was a unique program started in 1968, in which the guidance counsellors spent their time going into homes, visiting students and parents. I used to attend court on behalf of students—once a week, actually—and visited homes, worked with parents and students to connect them with the right agencies, to help with their problems, including finding money. As I said, finding money, like back in 1968, seems to still be the problem.

I developed many unique programs for students at risk, such as a potential for personal life management credit courses and a truly alternate grade 8 program. I was instrumental, along with the Royal Ottawa Hospital, in introducing an early intervention program for potential alcohol and drug users in the school system. We ran evening sessions for parents of those students. I took many courses on mediation and conflict resolution, then introduced these programs in the school system, and then continued to make sure they ran in the different schools.

For the last four years, I've been a member of the Assessment Review Board. In this capacity, I've made over 20,000 decisions and over 200 written decisions, some of which have been precedent-setting in this province. The one I like to talk about is my glass silos decision. It took me a while to figure out what a glass silo was. It's fibreglass. I have continued to take courses on writing decisions, decision-making and interpreting legislation.

If I become a member of the Social Benefits Tribunal, I'm very confident I would look at each individual circumstance and make the proper decision by being sensitive, fair and independent. Everything I've read about the tribunal says it's independent, and that's the key to my wishing to be on this tribunal.

Mr Chairman, I'll be glad to answer any questions.

The Chair: Thank you very much, sir, and we'll commence with the government party.

Mr Wood: We'll waive the balance of our time.

The Chair: The government has waived its time. We will then move to the official opposition.

Mr Gravelle: Good morning, Mr Greenham. Congratulations on the fine work you've done over many

years. It's very impressive. I wanted to ask you, if I can: this is obviously a highly sensitive position, the Social Benefits Tribunal. Certainly, I've had some great concerns over the last seven years with the reforms the government has made related to social assistance and social welfare. I would love to have your thoughts on it specifically, if you're able to.

One of the more cruel realities is the fact that one of the first things this government did back in 1995 was to cut back on social assistance benefits by about 22% and has made no effort to recognize that the impact on people has been enormous. We have seen indications of that in terms of food bank use increasing and costs increasing, and people finding it more difficult to survive. I would love to get your thoughts on what your feeling is on whether or not the assistance level that is granted is adequate and whether it should be increased.

Mr Greenham: As I say, I've been out of being involved for the last five years and I haven't been able to see the impact of any of the changes. The one thing I do support is a very vigorous approach to fraud because the more you check on that, the more money you have for the people who really need it, and I really understood that initiative.

In the last couple of weeks, I've read as much as I can and I'm not prepared to say exactly what I feel because I haven't really seen it in action. The critics of the program seem to have zeroed in on adding the first layer. You now have to go and have a review locally before you can appeal, and some people objected to that. They've added that in the Assessment Review Board and it seems to work. It's a different line, so I don't know if that's good or not. I just read what the critics had to say about it.

Clawback might worry me slightly. That has to do with people needing assistance before they are heard and, if they lose the case, the money's clawed back. I haven't seen that in action, and it would be interesting to understand how that works. The new legislation has narrowed the grounds for appealing, but I haven't been in the system to understand. If you ask me this later, I might be able to give you an opinion.

But those are the three negatives that seem to come out of all the literature I read. What I'm saying is—and this was one of the reasons I wanted to do this—I think I would be fair and impartial when I listen to people and quite sensitive to the needs.

Mr Gravelle: What are your thoughts, if I may ask, though, on some of the issues that you yourself brought up? To add this extra layer—and it certainly is that in terms of people who want to appeal—do you think it's a fair thing to do? We've got people who are in very difficult circumstances; there's no question about it. They've been turned down and then before they can even get to the Social Benefits Tribunal, they've got to go through an internal review. Does that seem like a fair way to do it? It strikes me as being a barrier for people who are in difficult situations, some of them under enormous pressures, and I think one could argue that would be a way to eliminate a number of people from the system. You brought it

up; I'm just curious as to what you think about that particular level being added on.

Mr Greenham: Could you just give me the first part again, because I was—

Mr Gravelle: You made reference specifically to the fact that the internal review must take place. The extra layer has been added on to the system and I'm just curious as to what you think about that, whether you think that's fair.

Mr Greenham: If it leads to a review to check to see if there are mistakes made, it would speed up the process. I presume that's what the review is for, to check to make sure that the denial was proper and that they had looked at all the different materials and so on. That might speed up the process.

I was reading about the 10-day notice, that somebody has to respond within 10 days, and if they don't, then they go ahead and appeal further. As I said, I haven't seen it working, so I'm not sure. It might speed it up in some ways.

1030

Mr Gravelle: You made reference to welfare fraud and I'm curious as to whether you think that there is a great deal of fraud in the system or very little fraud in the system. What is your impression of fraud?

Mr Greenham: What I read was that there was a fair amount. I think \$52 million was recovered from people who were using the system incorrectly, I guess. I would hope that money would be channelled toward the people who needed it. I presume the people who are defrauding the government etc don't need it. Do you know what I mean?

Mr Gravelle: But is it your impression that there is a great deal of fraud? Because certainly one of the myths that has been put out there is that there is a great deal of welfare fraud, but indeed, it's really quite minuscule. I think those are the facts. I'm just curious as to your impression.

Mr Greenham: I'm not sure in Ontario. Being from Ottawa, on the federal side, I gather there is a fair amount of fraud in different things. When I was working in the system, I didn't think there was a lot, but we're talking the 1960s and 1970s.

Mr Gravelle: If I may, I'll pass it to Mrs Dombrowsky.

Mrs Dombrowsky: Thank you very much, Mr Greenham. I do appreciate the comments that you've made about fraud, because I certainly think we need to address any occurrence of fraud in any system of the government, and not just the social benefits system. So I certainly concur with statements you made around that. I would like to know, though: do you believe that reducing rates by 21% reduces fraud?

Mr Greenham: I don't think that was the connection. I don't think that was what the purpose was.

Mrs Dombrowsky: What was the purpose of reducing it by 21%? Do you have any opinion on that?

Mr Greenham: I'm going from what I read; I read as much as I could find. I read about the passive labour

market versus the active labour market, and the passive labour market is where people receive benefits without any strings attached, versus active, where they have to do something and so on. That way there might be a better control. I'm not sure, but I don't see the relationship between cutting the 21% and fraud, unless you're referring to the fact that if they didn't have such money they may have to go out and do fraud to get it. Is that it?

Mrs Dombrowsky: I guess maybe I was curious about your statement that the money they would recoup by addressing those areas of fraud would mean there was more money in the system for those who need it. I guess I was trying to understand how you would be able to make that connection knowing that there was in fact a 21% decrease.

With regard to active and passive labour markets, I certainly am familiar with those two terms and I'm also aware that with the active labour market strategies, while there is an expectation that there would be—it would require the recipient of the benefits to participate in certain things. Usually the provider of the benefits also provides resources that enable the participant. That would be supported training, supported child care and so on. So you can have an active labour market initiative where only one party is active. That's my understanding in any of the reading I've done on that particular issue.

I want to talk to you about some of the realities that I certainly deal with in my life as an MPP relating to social benefits and the fact that people, for example, who would look to receive Ontario disability support benefits and who have been denied, and who appeal that and would go to the tribunal, wait many months before their case is heard. Are you aware that they then wait many months before they receive their benefits?

Mr Greenham: Am I—

Mrs Dombrowsky: They do.

Mr Greenham: I know that when I started with the Assessment Review Board there were a lot of appeals 10 years back. At that time, they hired 50 new people to be Assessment Review Board members and we have now caught up. Maybe numbers are important; I'm not sure.

Mrs Dombrowsky: Yes. There are issues of backlogs before the cases are heard at the tribunal. I think those are important issues that need to be addressed to ensure that folks who are in this process receive a hearing in a timely way, but what is especially troublesome, I would suggest, particularly when they go to the tribunal, is that the tribunal would rule that in fact they should qualify, for example, for disability benefits. As you've already indicated in your research, I'm sure you're aware that in the interim they are probably on Ontario Works benefits, awaiting the determination of whether they will be receiving Ontario disability. Once it has been decided that they deserve those benefits, they can wait as long as six months following that to in fact get the appropriate compensation.

My question for you, Mr Greenham, is: do you think it would be appropriate for the tribunal to begin considering ordering the time frame for the appropriate compen-

sation to begin? Many people would say, "Look, it's gone through the process. The tribunal says we are definitely disabled. We qualify for benefits." Now they're waiting for the paperwork to be processed and they become victims of the bureaucracy.

I'm just asking you this morning if you, as an intended appointee to the tribunal, think you have a role to play to ensure that once you or your tribunal determines they are deserving recipients, their compensation happens in a timely way.

Mr Greenham: You're saying after a decision's made, there's a six-month waiting period?

Mrs Dombrowsky: There can be, yes.

Mr Greenham: I know in the Assessment Review Board I had some input on speeding it up and making decisions. I'm not sure if the tribunal works the same way. But if I made a decision and the people didn't get it within 21 days and I was contacted and so on—I presume that's probably how this tribunal works.

Mrs Dombrowsky: How is it that—

The Chair: I'm afraid that, just when you're wound up, I have to cut you off because your time is expired.

Mrs Dombrowsky: Yes, I was.

The Chair: I now move to the third party. Mr Martin.

Mr Martin: I listened very intently to your opening remarks. I think the most important comment you made from my perspective is on this issue of needing to be independent in order to make decisions based on the laws that exist and the person's personal circumstances.

I have to tell you that I've been very concerned that welfare and the use of welfare as a vehicle for political expediency has, in many instances, gotten in the way of people getting what they need to actually look after themselves and their children in this province for about seven or eight years now. It's with that in mind that I'm going to ask you a few questions because I want to determine for myself if I can support you or not on what I consider to be your independence and ability to act in that way.

Are you a member of any political party?

Mr Greenham: Yes, I am. I'm a member of the Progressive Conservative Party.

Mr Martin: As such, do you support their approach where welfare reform is concerned?

Mr Greenham: As I said, I didn't know too much about it until I started reading lately when I got interested in this and what I felt I could bring to this group. I think what you do as an independent contract or an independent member is you make decisions on what you hear at the time of the hearing and so on. To me, my job is to try to be as independent as possible and make decisions that are helpful to the—

Mr Martin: How did you find out about this appointment?

Mr Greenham: I was doing my job as an Assessment Review Board member in Cornwall and next door was a member of the Social Benefits Tribunal. We got there early and we started chatting. My preference is to work with people. What's happening in the Assessment Review Board is that we're into a lot of corporate appeals,

which means you see nothing but lawyers and you never see human beings. I like the idea that this person—

Interjections.

Mr Greenham: Sorry, I shouldn't have said that. This gentleman explained to me that it was independent and he could make decisions and so on.

1040

The other thing that has happened is that assessment appeals are down. I like the rural area, and I gather in the Social Benefits Tribunal they've got some kind of difficulty getting members to travel all over the province, particularly north. I said that's what I would enjoy doing and actually meeting people. What I would hope would happen when a person leaves my hearing is that they felt they'd been listened to. To me, that's the whole gist of the process.

Mr Martin: You've moved from one appointment with the Assessment Review Board to another appointment now with this tribunal.

Mr Greenham: Yes.

Mr Martin: The reason you moved was because assessments were down and you weren't getting as much business or—

Mr Greenham: No, it's the approach used with it. You see, with my first appointment you applied for the job because they were hiring 50 people at once. You had interviews and so on. It ends up being an appointment I guess at the end, but you had to go through interviews and so on.

Mr Martin: The government will make very bold statements that the number of people on assistance is down. All the statistical information that's coming out now would indicate that may be the case, but poverty has grown deeper and wider. Does that cause you, as a member of the Conservative Party, any concern in terms of the direction the government's taking?

Mr Greenham: I guess it would be a concern to any party, poverty and so forth.

Mr Martin: But this party in particular takes great glee in hammering the crap out of anybody who is in need or poor in the province, and using it for political purposes.

Mr Greenham: I really haven't got an opinion on that. I think changes in that area would come from the Legislature and members of Parliament.

Mr Martin: I'm just trying to determine your real independence here in your appointment.

Do you know about the issue of the clawback of the child tax benefit supplement where the federal government has put in a place a program that delivers anywhere from \$100 to \$200 a month to very poor families who need it to feed their children? This government has decided that anybody on assistance, which actually represents those who are most in need and most vulnerable in our province, that that will be clawed back dollar-for-dollar from any assistance they get from the province? Is that something you know something about or that you would—

Mr Greenham: No, it is not.

Mr Martin: Would you approve of that? Do you think that's a good policy?

Mr Greenham: Off the cuff, I don't know. At this time I wouldn't make a comment about that.

Mr Martin: Have you followed at all the Kimberly Rogers story out of Sudbury and what happened to her?

Mr Greenham: Yes, I did read about that.

Mr Martin: Do you have any thoughts on that?

Mr Greenham: The material I read did not go through the details on why she was confined to her house and what other rules went with it. What I gather was, she was taking student assistance and other assistance, which was illegal. She went to court and was charged and that was—

Mr Martin: Let me give you my perspective and then ask your comment. Ten years ago, it was legal to be on social assistance family benefits and to take out a student loan and go to school to try to better yourself. That was changed under this government.

Kimberly Rogers decided, after quite a period of time on and off assistance, to go into the workplace. She was a woman who suffered from bouts of anxiety, migraine headaches, depression and sleep disorder and was trying her darnedest. She decided to take out a student loan to go back to school. She was actually doing quite well, graduating with an A average in social work, and was looking forward to getting into the workplace so she could pay back the loan and become a contributing member of society.

She got caught in an exercise by the government—and they do this on a fairly regular basis. The eligibility review agency of the government goes over and over the caseload of social assistance delivery systems to find out if people are eligible. She was found to be in contravention, was charged as such and brought to court. Because she was found to be in contravention, she was cut off social assistance for three months, even though she was pregnant and had a child, and in the courts was given a penalty of some six months' house arrest. It was during that period of time, with a heat wave in Sudbury at that point, that she passed away. There's an inquest going on at the moment about that. Do you think that's the way we should be dealing with our most vulnerable citizens in this province?

Mr Greenham: As I said, the way you have stated it, it doesn't sound good. That's the first time I've heard more of the details than the case itself. I did read some other cases, and the one thing I did pick up from them was that Chief Justice Roy McMurtry, in one of his statements, said, "Those who award social benefits should be generous in deciding whether someone meets the definition of 'disabled,' and any doubts should be resolved in favour of a person seeking support."

I like that comment and that's what I'm going to build on. I don't see, as a member, being able to change anything other than being as straightforward and honest as possible when you're at a hearing, and being sensitive to what's being said.

Mr Martin: I have to say to you, rather sincerely, that I appreciate that last statement you made and I think that's exactly what should be going on. I guess in deciding whether I support or don't support your appointment this morning—not that in many instances it makes any difference here because the government has the majority on this committee—I need to be able to determine whether in fact, given your political affiliation and your understanding of the track record of this government so far, which in most instances has chosen to do the opposite of what Chief Justice McMurtry has suggested, in some instances to very crass political ends, that you would in fact act independently and follow the rule of thumb you've just shared with us here.

Mr Greenham: That's how I see my role. That's why I started my statement by saying I believe that the Social Benefits Tribunal is independent, and when I ask people and read the brochures, it says it is. I was very independent with the Assessment Review Board and I think that would be what I can offer.

The Chair: That concludes our time. Thank you very much, Mr Greenham, for being with us today.

Our next intended appointee is John S. Lacey, intended appointee as member, Cancer Care Ontario. To be fair to him, he was not scheduled to be here until 11:30.

Mr Wood: If Mr Lacey is not here, I would ask unanimous consent of the committee to extend the time for review of the following people by 31 days: Margaret S. Smith, David Stuart McCamon, Steven Rastin and Ross J. Laur.

The Chair: Thank you for the motion, Mr Wood. All in favour? Opposed? The motion is carried.

Mr Wood: I'm wondering if we could also interest the committee in doing concurrences re Ms Tebbutt and Mr Greenham now.

The Chair: I think that makes all kinds of sense, so I'll wait for your motion.

Mr Wood: I move concurrence re Ms Tebbutt.

The Chair: Concurrence has been moved regarding Christine M. Tebbutt, intended appointee as member, council of the College of Audiologists and Speech-Language Pathologists of Ontario. Any discussion, first of all, on the motion by Mr Wood? This is our first intended appointee. We're moving into this concurrence while we have some time. If not, all in favour? Opposed? The motion is carried.

1050

Mr Wood: I move concurrence re Mr Greenham.

The Chair: Concurrence has been moved regarding Mr Greenham. Any discussion?

Mr Martin: Sometimes in these instances, particularly where it comes to appointing people to boards that have decision-making power that can oftentimes affect a person's ability to look after oneself—and in this instance we already have in this province a case where, because she wasn't given the basics to meet her normal and regular needs, we have already had a tragic death in the province.

I think we really need to be careful. We have on one hand a regime within which people have to operate which has become very difficult to access and narrow in its application of flexibility and discretion. As I indicated in my interviewing of the appointee, we now find that even though we have fewer people on the social assistance rolls, according to many studies that have been done now and statistics that have been put out, we have more and more people living in poverty. In fact, we have more people living on the streets of Toronto today than at any time in our history.

Something is wrong, and we have to make absolutely certain that at least the system we put in place that people come to on appeal is independent of this very difficult approach that we've seen by this government where social assistance and welfare are concerned.

In my view, we should never be pushing poor people into the criminal justice system. It just doesn't make any sense to me. It clogs up that system, for one thing, but more importantly it takes very vulnerable people who have no resources at their disposal, usually lacking in self-confidence, and puts them into a very complicated and difficult legal process that they very seldom understand.

It surprises me, actually, that we don't have more tragic outcomes. I suppose that speaks to the effort some people are able or willing to go to to look after themselves. As a matter of fact, the whole issue of fraud and how we define fraud is one that concerns me deeply. I think there's a universal rule out there somewhere, probably flowing from international organizations out of some of the more dominant faith groups, that in circumstances of dire consequence a person is allowed to go and get whatever they need. That may mean having to go and take it and have it considered theft, if they need to feed themselves and their children and to house and look after themselves so they don't die.

I think we really need to review carefully the whole issue of fraud and how we define it in this province as we move forward. People who simply want to find a way either to feed and house themselves and their children or to get themselves an education so they can, at the end of the day, do that, should not, in my thinking, be caught up in a web where they could be accused of and found guilty of fraud. They're simply trying, with the limited opportunity that is available to them, to do what all of us would do.

I have to say to you that given a circumstance where I needed to feed my children, and all the roads were blocked for me, I would steal. I would defraud the system to feed my children if that was the challenge before me. If I were trying to protect an unborn child inside of me, I would do that too.

Having said that, and having listened to the comment of the member before us today who spoke of Judge McMurtry and his recommendation, in moments of doubt, if it's considered to err, we always err on the side of being generous. It never does us any wrong or any harm as a society to be generous, particularly to those who are in need, vulnerable and at risk.

This government, in my view, has dropped the baton on that front. It is with the comment that the gentleman has made here today that I am allowing myself to say that I will support you in your appointment to this position, but only because you made that comment, because I believe you were sincere in making it and that that's exactly what you will do, given an opportunity to sit in judgment of somebody who comes before you in need of the very basics of life to feed oneself or one's children and to participate in the society we've developed here in this province.

We are not a poor province. We are a very rich province. We have a lot of resources and wealth available to us. In an age when our economy over the last five or six years has done really well, that we should become so miserly in our approach to how we look after those who are at the bottom end, it just blows me away, sir. I don't mind saying what I said here this morning and taking whatever consequences politically that brings upon me. But your appointment is being supported by me and our caucus in this instance because you believe it's more important to be generous than not to be, in circumstances where there may be some doubt.

The Chair: Any further discussion by members of the committee on this appointment? Mr Wood?

Mr Wood: I'm ready to vote.

The Chair: If there is no further discussion, I will call the vote. All in favour? Opposed? The motion is carried.

We're now in a situation where we have an intended appointee who is scheduled at 11:30 am. In fairness to him, he would not have known that we were going to have our committee time shortened. Does anyone have a suggestion for us?

Mr Wood: I was going to suggest that we stand down until 11:30.

The Chair: Mr Gravelle, your comment on that?

Mr Gravelle: I was presuming, Mr Wood, that we would be discussing the resolution I put forward last week about deferral of the review of the Sudbury Community Care Access Centre. Does it make sense for us to discuss that now?

Mr Wood: I'd be happy to do that now. Maybe I can share with you what our conclusion on this has been. We are basically in the hands of the House leaders, who have to make this decision. The committee, of course, can't make the decision on its own. So we are happy to proceed now. If the House leaders agree, we're happy to do it in the intersession. If they don't agree with that and you want to do it when the session resumes, that's fine with us too. So we're happy to invite you to transmit to your House leader, and we'll transmit to our House leader, the request made and the House leaders can decide. Or if you don't want to do that, we're happy to schedule it now. So give us guidance and we're prepared to proceed.

Mr Gravelle: Certainly the intention of the resolution was to have it dealt with during the intersession, if you're saying that you have no problem with that.

Mr Wood: We don't feel it should be done by a resolution of the committee; we think it should simply be

transmitted to the House leaders. We are happy to transmit the request made, I gather by both opposition parties or at least by the Liberal Party. The Liberal and New Democratic Parties request that this be dealt with in the intersession. We're happy to transmit that request to our House leader, invite the two parties to do the same to their House leaders, and they'll have to decide. If, as an alternative, you'd rather schedule it, we'll schedule it now. If you'd like to transmit that request and see what happens, that's fine with us.

Mr Gravelle: Did I hear you correctly earlier that you're saying you have no problem with the scheduling? Presuming that the House leaders agree, you have no problem with us doing it?

Mr Wood: No. We are prepared to do any one of the three things I just outlined. So if the House leaders determine it's appropriate to do it in the intersession, we're quite happy to do it.

Mr Gravelle: I'm OK with that. Mr Martin?

Mr Martin: Yes.

Mr Wood: I think a motion is not necessary. We are quite happy if it's the desire of the two opposition parties to transmit it to the House leaders for consideration. We'll transmit the request to our House leader and we invite the two of you to do the same.

The Chair: As Mr Wood would points out, the reason is that when we're sitting in the intersession, we are limited in the number of times we can sit and, second, we are limited by the rules to deal only with intended appointments. This is why it requires the House leaders to make this particular specific decision. So each of the parties represented here will no doubt be speaking to the House leader of that party to have that matter raised at the House leaders' meetings, to determine what the outcome of that might be.

Mr Wood: Our House leader is aware of this matter now. We will transmit that to our House leader within a day or so, and we'll let the House leaders deal with it.

Mr Gravelle: Certainly we will do the same, and I believe there is a precedent for this. I believe that when we reviewed the ONTC, it was done during the intersession. So there has been a precedent set, and hopefully we can manage to make that happen.

The Chair: Thank you.

As I said, our next intended appointee is scheduled for 11:30. May I suggest that perhaps 11:25 might be a time to reconvene? I'll leave it up to you, Mr Wood; you've suggested 11:30.

Mr Wood: I'm always an optimist. If you want to try 11:25, I'll be here at 11:25.

The Chair: OK. We'll recess until 11:25 of the clock.

The committee recessed from 1101 to 1127.

JOHN LACEY

Review of intended appointment, as selected by official opposition party: John Lacey, intended appointee as member, Cancer Care Ontario.

The Chair: I'm going to call the meeting to order. I'll go out of order in terms of the questioning, but I'm going to ask our guest to come forward, if he will. Today we have Mr John S. Lacey, intended appointee as member, Cancer Care Ontario. Welcome to the committee, Mr Lacey. As you're aware, you have an opportunity to make an initial statement should you see fit, the time of which is subtracted from the Progressive Conservative Party because of the government's—

Mr John Lacey: Ability to question me, right?

The Chair: Subsequent to that, there will be questions. I'm usually pretty lenient with the government party, though. When they want to ask questions, I like to let them ask their questions. Welcome to the committee, sir, and you may start.

Mr Lacey: Thank you, Mr Chairman. It's a privilege for me to be here. I have been in this seat before, so I'm somewhat aware of your process. Let me be brief. My name's John Lacey. I am chairman of a company called the Alderwoods Group, which is the emergent company from the Loewen Group that was filed by me under CCAA and Chapter 11 and reorganized over the last three years from bankruptcy into a new emergent company.

More recently, up until July this year I was vice-chair of the LCBO and a three-term member as a director of the LCBO. I've been involved with the McMaster health and sciences section involved in the Canadian Centre for Studies of Children at Risk and the clinical work of that. I'm also on Telus's board and I do have my own holding company called Doncaster Consolidated Ltd. In that case, that company's been involved with children's wish, helping children with terminally challenged diseases, for the past 10 years.

In my business career, I'm principally involved in complicated and challenging corporate restructurings, including such things as turnarounds, resource allocations, organization redevelopment, capital budgeting etc. I became aware of Cancer Care Ontario principally through an acquaintance of mine, Peter Crossgrove, who I've known through business—not well, but through being in the same city—for a number of years. I've observed his dedication and commitment to the health care system of Ontario over many years, and actually admired him greatly for the work that he has contributed to this province in that field.

On a personal basis, I think you can see a little bit from my activities and resumé that I have a strong desire to be involved and to contribute to important challenges, be it children at risk or be it the children's wish, in terms of making some kind of contribution to the society in which we live.

I observe, as an Ontarian, that both the health care system and cancer care in particular face challenges. These challenges are obviously from a cancer perspective. From the stuff that I read, it is facing a double-digit growth in applications, rapidly rising costs, huge technology gains and, of course, under all our processes, limited budgets to deal with that. That's the kind of stuff

that I'm used to dealing with in my business life and I'd like the opportunity, if I can, to try to help in the cancer care process.

Just to reinforce my motivation for doing these things, I'm an immigrant Canadian, which I think you can tell from my accent, and Canada, and in particular Ontario, has been unbelievably good to me and my family. I've been here 24 years, and whether it be the LCBO or the children's programs or what have you, I just view this as an opportunity to participate and hopefully give something back both to the province and to the country in terms of its social needs, in terms of fairness, in terms of access, in terms of consistency, that may help some people move forward. That's what I like to do; that's who I am.

The Chair: Thank you very much, sir. We'll commence our questioning with the official opposition.

Mr Gravelle: Thank you very much. Good morning, Mr Lacey.

Mr Lacey: Good morning.

Mr Gravelle: I apologize for coming in just a little bit late and missing part of your initial opening statement. I am curious as to how this appointment came forward and whether you sought it out or whether it was offered to you. In what fashion—

Mr Lacey: I volunteered.

Mr Gravelle: You volunteered.

Mr Lacey: Yes, I did.

Mr Gravelle: Can I ask you how you went through that? Who did you speak to?

Mr Lacey: I had occasion to attend a presentation done at the Princess Margaret Hospital on cancer in Ontario and some of the challenges. The seminar was actually put on by Peter Crossgrove, who, as I said, I've known from a business point of view in the city. He's not a personal friend of mine. I was pretty impressed with the challenges. I was immensely impressed with some of the breakthroughs that are occurring, but I saw this huge gap in terms of the challenges facing how to fund this and how to process this. I got chatting to him afterwards, and he made the comment that they were always looking for people to join them, to try to help on the board, to try to assist and to try and push the ball forward, as it were. I said to him, "I'd like to do that. That's something that interests me." That's how it occurred.

Mr Gravelle: Certainly one of the issues that is of concern to all of us is the waiting times that are there for people who are diagnosed with cancer and the recommended treatment times. There's certainly a period of time that is recommended for when treatment should begin, and there have been some delays in that. One of the responses from the government, and I guess Cancer Care Ontario, has been to open up a contract with a private clinic at Sunnybrook Hospital, a radiation treatment clinic.

I'm curious as to your thoughts on the privatization of this service. I have some real concerns about that. It's a much larger debate, as you certainly appreciate, as we look forward to the Romanow report, and even look at

what Senator Kirby's report said. I would like to ask you what your thoughts are in terms of privatization, not just this issue, but in terms of privatized medicine in this province or the country.

Mr Lacey: I don't have an opinion on it per se. Quite frankly, I think it's a complex issue. If I read the materials that were given to me, I think in that particular case, there was an effort to try to migrate patients from an expensive US operation back into Canada, both from a cost point of view and, obviously, from a control point of view. But, from my point of view, I think one of the highest attractions about being a Canadian is universal access. To my mind that has to be balanced with fairness and then it has to be balanced with affordability. It's how you bring those things together on the best resources that's the best solution for the day.

I don't know how privatization fits into that, but if there's a role that doesn't break the principles of universal access, fairness and process, that actually can save us money to save lives, I think it's something that should be looked at, but only in context of the overall objectives of the health care system of Canada.

Mr Gravelle: One of the issues that I think obviously attaches itself to this is the fact that there are those of us, and I'm one of them, who thinks that privatization in many areas simply costs more. Certainly the Provincial Auditor, when he was doing an assessment of the service provided by the after-hours clinic at Sunnybrook, indicated that it did cost more. Are you familiar with that?

Mr Lacey: I read the article. As I say, it's a cursory read of an article so I want to make very clear that I'm not an expert on this. Yes, I did read the criticism that it was higher than expected, in the original draft paper that was presented, by whatever it was, some hundreds of dollars per incident. But I think, in that case, I think you'd have to look at it against its objectives. Was it in fact achieving significant savings against the US alternative? I don't know the answer beyond that, but it did appear to have run over-budget, yes.

Mr Gravelle: One of the other issues that came out of that, of course—it wasn't just US clinics that the patients were being sent to. They were being sent to northwestern Ontario, to Thunder Bay, the regional cancer centre there. One of the issues, of course, that was of great concern to us as northerners was that people were being sent up to the Northwestern Ontario Regional Cancer Centre and receiving treatment and getting everything paid for, 100% of their payment, whereas patients from northern Ontario and certainly in northwestern Ontario in particular who were coming down here were not receiving that same benefit.

Mr Lacey: Yes, but that's fairness in access that I think you've got to address with—

Mr Gravelle: It was quite a battle, and it was determined that it wasn't fair.

Cancer Care Ontario, ultimately, has now taken control of all the regional centres.

Mr Lacey: Yes.

Mr Gravelle: That's pretty controversial. Again, I speak for the point of view of the member from Thunder

Bay and someone who thinks that the regional cancer centre in northwestern Ontario is quite remarkable. There was a lot of feeling that, indeed, this was going to actually—in some ways I guess it goes to the “if it ain’t broke, don’t fix it.” The fact is, it was working before.

What are your thoughts on that? We objected to it strongly, we thought it was absurd, let alone the fact that they now were dealing directly with the hospitals as opposed to making decisions on their own and being able to make those decisions. How familiar are you with this and what are your thoughts on that? I know it was a great concern when the decision was being made.

Mr Lacey: I’m aware of the consolidation of control in the cancer care process, again by reading the documentation given to me. I am not in any way familiar with the nuances of whether it has improved or not improved regional access and what have you.

That aside, my observations would be—and this comes out of that seminar that I went to to understand cancer, and bearing in mind that my mother died of cancer and my father-in-law died of cancer, so I’ve had some first-hand experience of how awful this process is. But my observation is that the big surprise for me was that each cancer is different, each treatment is different and there’s a complex degree of scientists that sit behind the scenes to try to design the chemotherapy and various other activities with which to treat the cancers.

If by consolidation of resources and communications and activities those enormously complex resources can be focused to help every individual, then I think it would be a good move. But the nuances of how it has affected the regional stuff, I can’t answer; I don’t know enough about it.

1140

Mr Gravelle: Which leads me to the point or at least the plea that if indeed you’re able to explore this more and you discovered that is not the case, I would hope you would be open to questioning it. Because certainly in my discussions with Dr Dhaliwal, who runs the Northwestern Ontario Regional Cancer Centre, they felt very strongly that indeed this was not going to improve access, it was not going to improve the system at all, and that in fact it would have some negative implications by taking over this control.

So my question then is, would you be open to exploring that as a member of the board and would you also be open to discussing this and doing an evaluation of it, because certainly the concerns are very much there that—

Mr Lacey: Sure. I think that every issue has to be addressed from a legitimacy point of view. But as a board member, I think your job is to ask questions and try to figure out what’s going on. As I said, my personal beliefs and principles are about fairness and equity, so I would apply those principles to whatever I learned. So I think it’s important.

Mr Gravelle: Mrs Dombrowsky, do you have any questions?

Mrs Dombrowsky: I feel somewhat at a disadvantage since I wasn’t able to be here in a timely way. Perhaps, Mr Lacey, you’ve already answered this question, but I’m always curious about how people who come to the committee find themselves as intended appointees.

Mr Lacey: I did address that earlier. But just briefly, I had attended a seminar at Princess Margaret Hospital and had known Peter Crossgrove, the chairman of Cancer Care Ontario, from around the city, from a business perspective. I was intrigued with the work and the challenges that were put to me in that particular educational seminar. I went up to him afterwards and said that I thought this was a very interesting field. He said that they were always looking for people to help. So that’s how I arrived here.

Mrs Dombrowsky: That is very helpful to me. Thank you very much.

Mr Martin: Do you belong to a political party?

Mr Lacey: No. I do vote.

Mr Martin: We’re not going to ask you how you vote.

One question to start off would be, you were on the LCBO board; why did you leave that?

Mr Lacey: My term was up. I had been there three terms. In the six years that I had been there, I think we had made significant change and the organization had moved forward dramatically. The measure that I always put is consumer satisfaction. It had gone from about 26% to 86% in that period. Profitability had almost doubled. It has a good management team in place.

On a personal basis, I think that people contribute very effectively in a five- to eight-year span and that you can overstay your welcome. After six years, I felt that it was time to move on.

Mr Martin: Were there any disappointments for you in that time, given, for example, the notion after 1995 and the fact that the LCBO was always a target for privatization—that that in fact didn’t happen?

Mr Lacey: The privatization was an issue of economics. The formula—you just couldn’t push it over the line one way or the other that would benefit Ontarians in a way on a post-privatization or a pre-privatization that made a compelling case, as far as I’m concerned. It was discussed from time to time. But in the end, I think the job of the LCBO board was not to be in the debate of privatization or non-privatization. That’s a government issue. That’s a shareholder issue, if you want to call it that. I looked at my role as a board member as, how do we make the LCBO an absolutely world-class, first-class, very profitable contributing crown corporation for the government? Let the shareholders make a decision whether they wanted to privatize it or not.

Mr Martin: In your role as an executive officer with some of the bigger food distribution systems in the province, did you ever find yourself in a conflict of interest of any sort?

Mr Lacey: No.

Mr Martin: On many occasions, we hear the government talk about bringing private sector discipline to

public delivery of services. As you know, some of the very serious allegations against the private sector these days, where discipline is concerned, is in the area of correct sharing of information, auditing and also in the area of compensation to its senior executives. I think Eleanor Clitheroe was one example of that, that we've just gone through, that has been very difficult.

I note in your resumé, in two different capacities, your responsibility is in, in fact, audit and compensation.

Mr Lacey: Committees.

Mr Martin: Committees. One of the concerns we have, as we roll out the new health care package and as we look forward to hopefully some contribution from the federal government further than what it is doing now to the delivery of health care and cancer care in particular, that we deliver that in a way that means all of us get what we need, when we need it out there, whether it's in Thunder Bay or Sault Ste Marie or someplace else.

Your experience, your background is in the private sector and in particular audit and compensation. Do you see that as a difficulty or—

Mr Lacey: No, I see it as a great asset. I sat on the audit committee of the LCBO. I sit on the audit committee of Telus and I've sat on audit committees of other boards prior to that. I think that the business incidents, primarily in the United States, have been very unfortunate. I think it's embarrassing for business. I think that generally their auditors, their audit committees and management team must bear the responsibility of their actions, and I think that's happening.

It's like any other business. I don't think we need to sweep up the entire business community and put it in the same hat of whatever it is—half a dozen or a dozen companies that have, through greed mostly, gone beyond the pale of what is fair, reasonable and within the law.

I think an audit committee experience is a great background to help you apply capital resources, human resources and organizational resources on a fairness and access basis. I think it's a good background.

Mr Martin: Just to get a sense of where it is you might take, given your experience and knowledge, Cancer Care Ontario, and piggybacking a bit on the question from my colleague from Thunder Bay-Superior North and the need to make sure that there is access out there in the regions, full access to everything that's possible, I look again at your background in the grocery distribution business. I did some work a few years ago in trying to put in place legislation to protect franchisees. That business has centralized and consolidated big-time in the last five or 10 years. In doing that, I note with some interest the comment in your resumé when you describe your past experiences: "employing strong retail execution."

We lost at least three really solid small business folks in Sault Ste Marie during that time, because the bigger corporation decided that it didn't want franchise stores any more; it wanted corporate stores and moved to do that. That was unfortunate, in my view.

I remember sitting before the committee that was looking at the franchise legislation in Ottawa. Out in the audience, about to present, were a number of small business families that had over the years built up a good relationship with the community, a good clientele, and they were facing the possibility of what happened to my friends in Sault Ste Marie in terms of simply losing everything that they had invested in, put all their money into, worked at very hard and were continuing to do that.

I'm concerned about your ability to take what you're obviously very good at and beginning to apply it in the public sector in a way that won't be best for all parts of this province.

1150

Mr Lacey: I have no history of being an example of what you're talking about. I've been on both sides of the franchisor-franchisee piece, and in the end it turns out to be whom you get in bed with. I'll give you an example: I think Tim Hortons is an outstanding franchisor.

Mr Martin: Yes, it is.

Mr Lacey: It shows up in their business, it shows up in their franchisee relationships and it shows up in the success of their business. There are many examples of franchisors that don't have the same standards, and unfortunately people get hurt—sometimes the franchisor and sometimes the franchisee.

In Oshawa's case, IGA is a healthy business and a well-respected business. We ran a healthy franchisor business as Oshawa Foods—I can't comment since it's been taken over by Sobeys—in the sense that we have a very vibrant, very strong rural business, much stronger than our urban business in the franchisee business. I'm not one of those examples. I have observed poor relationships that do hurt people and do hurt businesses, but I'm not one of those and I haven't been party to those. I've been a Tim Hortons franchisee, I've been a KFC franchisee and I've been an IGA franchisor, and both sides of that experience have been good.

Mr Martin: Is it your intention, in receiving this appointment—and I would suggest you're probably going to get the appointment here this morning, given that we have a majority on the other side; I'm not sure what this side is going to do yet, but—

Mr Lacey: Actually, I would hope I get it on merit.

Mr Martin: Yes. Is it your intention to look at some private-public partnership in the delivery of health care and oncology in this province?

Mr Lacey: I can't answer that, because I think we've got to look at the facts: you've got to look at the issues, you've got to look at the funding, you've got to look at the process. What I can say is that I'm dedicated to making sure Ontarians have access, fairness and equity in the process. As a Canadian and as an Ontarian, that's what's important to me. My mother was a pensioner. She had no money and she died of lung cancer, and if there hadn't been a system, that would have been very difficult for her.

Mr Martin: You're obviously a fan of the Canadian health care system.

Mr Lacey: Yes, I am. I immigrated to Canada.

The Chair: That concludes your time. It's perfect timing.

Mr Miller?

Mr Miller: First of all, I'd like to thank Mr Lacey for putting his name forward to serve on the Cancer Care Ontario board. He's obviously extremely well qualified, and I think the board will be better off because he has put his name forward and is willing to do public service. I'd like to take this opportunity to thank you for volunteering for this position.

Mr Lacey: Thank you. I enjoy it.

Mr Miller: I'd also like to note that Mr Steve Gilchrist is in the room with his nephew, Steve Race, who is here on "follow your uncle to work day," I guess it is in his case. I'd like to welcome them to the room as well.

The Chair: Welcome to our committee. We're always happy to have visitors, particularly those who are here on this very special day.

Any other comments?

Mr Frank Mazzilli (London-Fanshawe): Just a quick comment that I'll certainly be supporting your appointment to this board, based on merit. Obviously in the business community, as we've heard recently, a dozen companies or so have really hurt the trust built by people. But I just want to get on record that some people have been well served by Oshawa Group. I worked at a Food City store many years ago—probably 25 years ago—that was owned by the Oshawa Group. At that time, 25 years ago, I can remember leaving at \$9.25 an hour, and those were times when minimum wage was perhaps \$2.65. The business community often gets beat up, but much of the business community goes above and beyond what's called for, and I'm sure you'll bring that experience to the public sector.

Mr Lacey: I think it's unfortunate, but we're just not immune from a few spoiling it for the general process, whatever walk of life we're involved with. As a businessman, I find what's going on with WorldCom and Enron and so forth hugely embarrassing. What I am proud about in the case of Loewen, which for all intents and purposes, according to press reports prior to my being involved, was unsurvivable, is that we just faced down a union situation in Chicago where it became an issue not of terms and conditions but of credibility.

In this case, it's the first time I've ever seen a union go out for a strike vote that was turned down by the employees. I was amazed, so I went and asked why. What was fed back to me in that meeting in Chicago was that we, as an organization, had survived 12,000 jobs in this company by working through the emergency CCAA Chapter 11. The issues on the table were not economic; they were power-based, between the organization and the union, about control of pensions. Our employees felt that their jobs having survived in the process and we as a management team having a lot of equity with it, the economic issues were fair, so let's move on. To me it's a much more important vote on the issues of business when

you have your employees recognize that you just saved 12,000 jobs.

Mr Mazzilli: I certainly recognize that I was well served by the Oshawa Group. Mr Chair, I'll turn it back over to you.

The Chair: Thank you very much, Mr Mazzilli.

Mr Wood: We'll waive the balance of our time.

The Chair: The balance of the time is waived.

That concludes the questioning today, sir. You may step down. Thank you for being with us.

Mr Lacey: Thank you for your time.

The Chair: We will now consider the intended appointment of John S. Lacey as member, Cancer Care Ontario.

Mr Wood: I move concurrence.

The Chair: Concurrence in the appointment has been moved by Mr Wood. Any discussion?

Mr Martin: I just want it on the record that I have concern that this government is moving rather expeditiously and thoughtlessly into a regime of so-called corporate sector discipline in areas of the delivery of public services that we've built up very carefully and cautiously over the years to serve everybody in a way that speaks to equity of access and affordability. That doesn't seem to be the axiom any more. We only have to look at what's happening with Ontario Hydro right now to understand the problems that can be created when we move as quickly and as thoughtlessly as we are to that end, driven by ideology.

I would hope that everybody here, considering themselves and their families and the people they live with in their communities, wouldn't go down that road again, and that in anticipation of the Romanow report and what he might recommend and hopefully what the federal government will put forward by way of new framework, we in the provinces, and in Ontario in particular, will move to improve what this intended appointee has suggested is a good system that he supports and is a fan of, and that we will grow it and make it better, as opposed to destroying it.

I would proffer to members across the way that this gentleman has participated very actively and, I think, in a positive fashion, in the evolution of a crown corporation that was under threat of privatization by this government from the very day it was elected, and chose not to do that but found a way to make it, given all the concerns people have out there about the distribution of alcoholic beverages to people across this province, the safety concerns, the concerns where children are concerned and also the concern to maximize the potential for it to produce revenue for government, to make it a first-class venue for those who produce the product and for those who consume it. I think he has proven beyond a shadow of a doubt with that crown corporation that you can do that.

I guess I'm going to take a chance here this morning that he will bring that same rigour and diligence to this job and that, given his own personal experience, he will understand there's a desperate need in this country and province at the moment to reform the delivery of health

care. But to simply take it into the private sector and expect, given what we've seen and what we know is out there by way of those who would be interested in taking over big chunks of our health care system, with a priority on trying to turn it into a profitable enterprise, that we wouldn't go there and that he, with others on that very important board for this government, will do everything possible to make sure we continue down the road of a publicly funded, administered and controlled health care system that will be equally accessible to every citizen across this country and particularly this province, in a manner that continues to be as affordable as possible to everybody, given that health care is not free—we pay for it through our taxes—and that we continue to do that and

find ways to make sure that everybody has access and that it continues to be affordable.

Having said all that and put it on the record, due to what I think is the merit of this appointment, I will be in support of the motion put forward by Mr Wood.

The Chair: Any other discussion? If not, all in favour? Opposed? The motion is carried.

Any further business for the committee? If not, I'll entertain a motion of adjournment.

Mr Wood: So moved.

The Chair: Wood has moved adjournment. All in favour? Opposed? Carried.

Thank you to members of the committee.

The committee adjourned at 1202.

CONTENTS

Wednesday 6 November 2002

Subcommittee reports	A-129
Intended appointments	A-129
Ms Christine Tebbutt	A-129
Mr Donald Greenham	A-131
Mr John Lacey	A-137

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Wayne Wettlaufer (Kitchener Centre / -Centre PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Gerry Martiniuk (Cambridge PC)

Mr Norm Miller (Parry Sound-Muskoka PC)

Clerk / Greffière

Ms Anne Stokes

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

CA20N

XC19

-G52



A-10

A-10

ISSN 1180-4335

Legislative Assembly of Ontario

Third Session, 37th Parliament

Assemblée législative de l'Ontario

Troisième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 20 November 2002

Journal des débats (Hansard)

Mercredi 20 novembre 2002

Standing committee on
government agencies

Intended appointments

Comité permanent des
organismes gouvernementaux

Nominations prévues



Chair: James J. Bradley
Clerk: Anne Stokes

Président : James J. Bradley
Greffière : Anne Stokes

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 20 November 2002

Mercredi 20 novembre 2002

The committee met at 1004 in room 151.

SUBCOMMITTEE REPORTS

The Vice-Chair (Mr Michael Gravelle): I call the standing committee on government agencies meeting of Wednesday, November 20, 2002, to order. I believe we have some business to attend to before we get to our appointments.

I'm looking for a motion to adopt the subcommittee report of November 7, 2002.

Mr Bob Wood (London West): So moved.

The Vice-Chair: Mr Wood moves adoption of the subcommittee report of November 7, 2002.

All those in favour? Opposed? Carried.

We also have the subcommittee report of Thursday, November 14, 2002.

Mr Wood: So moved.

The Vice-Chair: Mr Wood moves adoption of the subcommittee report of Thursday, November 14, 2002.

All those in favour? Opposed? Carried.

We will now move to our first interview.

INTENDED APPOINTMENTS

MARGARET SMITH

Review of intended appointment, selected by official opposition party: Margaret S. Smith, intended appointee as member, Child and Family Services Review Board and Custody Review Board.

The Vice-Chair: We call forward Margaret S. Smith, intended appointee as a member of the Child and Family Services Review Board and the Custody Review Board.

Welcome to the committee. You have an opportunity to say a few words, if you would like, before we begin the questioning. When you are finished, we will begin the questioning with the government party.

Mrs Margaret S. Smith: Thank you very much, Mr Chairman and members of the committee, for permitting me to speak to you today about my wish and desire to be on both these boards, the Child and Family Services Review Board and the Custody Review Board.

I'll give you a little bit of information about my personal background. I grew up on our family's century farm in West Nissouri township, which is now known as Thames Centre, in the county of Middlesex. It is in this

same municipality that my husband and I have resided and raised our two sons.

My interest in community involvement started at an early age and was deeply rooted in our family's interest in being involved in school and community activities.

During the course of my 37 years in education, I enjoyed being an elementary school secretary for 15 years. It was during this time, while our sons were in elementary school, that I recognized the value of parent volunteers and the need for parents to be involved in their children's education; that I was introduced to the home and school association and served on their executive as president; and that their motto, Students Come First, remains as vital today as it did in 1965. This past April, I represented the administration of the Thames Valley District School Board on the planning committee for the province's home and school conference in London. So you can see that my passion for working with parents in the best interests of children continues.

In 1980, I moved to the education centre of the former Middlesex County Board of Education and within a few years assumed the role of executive assistant to the director of education. This indeed was a multi-faceted role, attending all board meetings, working closely with all employee groups, student trustees and home and schools. I then had the privilege of working with the director of education when school councils were implemented. With amalgamation in 1998, I joined the central office team of the Thames Valley District School Board as the school community liaison officer and, in this capacity, began even a closer relationship with parents and students. During the past four years my duties included organizing the student trustee elections, chairing the board's education week activities and representing the board as the contact for the United Way for the London-Middlesex area. I chaired the Growing a Caring Learning Community conference for school councils, home and schools, and parent associations.

This past September the director of education gave me a task of organizing the board's display at the International Ploughing Match, also known as Rural Expo 2002, in Glencoe. The county of Middlesex invited the board to enter a display. At this display we showcased how the Thames Valley board prepares young people to be an integral part of their community. About 70 students participated at the display, and 4,000 students from the Thames Valley board either attended or participated.

Working with the superintendent of education, I was given the task of organizing the student trustee election, and coached and prepared students for their election day activities. Certainly one of my goals was to ensure that the event was an enriching and positive experience and that students who let their names stand for election or participated in the full day event left feeling excited about the election day process and eager to take leadership roles in the community.

1010

In May 2002, the Thames Valley District School Board recognized my career in education and I was honoured as a recipient of the award of distinction. I'm proud of the fact that the criteria for this award were based on the Thames Valley District School Board's foundation principles for a caring, learning community—integrity, communication, problem-solving, teamwork, coaching, continuous improvement, job-specific skills and improved student learning—and that I was recognized as a person who lives these principles and role-models them, whether it's for my own children, my grandchildren, the students of Plover Mills Public School, the students of Middlesex county or the students of the Thames Valley District School Board.

I want to assure you that I would consistently demonstrate these same principles in an expanded role on these two committees.

Just as recently as October 24, 2002, I was contacted by a representative of the Canadian Millennium excellence awards committee, inviting me to serve as a community volunteer representative to review scholarship applications from innovative young people who have demonstrated they are community leaders. As a volunteer representative, I would be affirming the value of my community-mindedness in selecting worthy students.

It is through these involvements that I feel my background qualifies me to be a member of these boards.

The Vice-Chair: Thank you very much, Ms Smith. Members of the government, are there any questions?

Mr Wayne Wettlaufer (Kitchener Centre): First of all, I should welcome you here, Ms Smith. I think it's an honour for anybody to put their name forward for a position like this.

Two weeks ago, I had a couple of representatives from the child and family services of Waterloo region come in, and they expressed how our approach to children and family services had improved considerably from what their experience had been over the years. They have been members of child and family services and before that of the children's aid society and what have you, going back probably about 25 years. One thing they noted was that there is a great increase in the number of appeals in spite of their effort to do remedial work. I was wondering if you had any preconceived notions when an individual may appeal his or her placement by child and family services? Do you have any preconceived notions when they come forward with an appeal?

Mrs Smith: It's my understanding that they come forth if there has been a refusal of a placement, a

relocation suspended, maybe contested terms, so that those appeals go before the board at that time when they're not happy with the decisions that have been made.

Mr Wettlaufer: Yes, the children can bring those appeals forward, but I was wondering what your bias may be if you have any.

Mrs Smith: No, I don't.

Mr Wettlaufer: OK. Thank you.

Mr Frank Mazzilli (London-Fanshawe): Thank you very much, Ms Smith, for putting your name forward. Certainly it's a very important job. I think that when it comes to these types of situations, they're getting much more difficult in today's environment, and some of the arguments you will be listening to will be much more complex than they may have been 30 or 40 years ago. When you talk to people in child care work or child protection, you will find that for many different reasons there are more cases that come forward, mainly legislation and mandates—people in authority, like yourself when you were at the school board, to report on a mandatory basis as opposed to perhaps voluntary.

I think too that when it comes to apprehensions and appeals and so on, we always talk about prevention. One thing that's not been looked at is the use of drugs in our society. Anyway, that's for another day. I'll certainly be making my point in that regard, but it works right down to violence on the street and to children being apprehended that have nowhere to go but a safe place through the state or the province.

Thank you for taking on that role. I'm sure it will be a very difficult and challenging position.

The Vice-Chair: Mr Johnson, we have about one minute left of your allotted time.

Mr Bert Johnson (Perth-Middlesex): Mrs Smith, I just want to congratulate you for your leadership in your area of the province and to wish you well, should this appointment be successful.

I assume that one of the programs that may fall on your front step would be a situation similar to the one that's been quite a lot in the papers in St Thomas, the one where the church people were using discipline that the children's aid society considered inappropriate, and at some point that may or would be appealed.

My point is that your job is not an easy one. You'll need all the wisdom of Solomon, and I wish you very well.

Mrs Smith: Thank you.

The Vice-Chair: We move to the official opposition.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Good morning, Mrs Smith. It's very nice to see you here today and I certainly did appreciate your opening remarks. I always am interested to understand how it is that people come to be intended appointees to the various boards, and perhaps you can explain to this committee how it is that you are here today.

Mrs Smith: Recognizing that I was going to retire from the Thames Valley District School Board on

October 31, just a few days ago, early in the year I did express an interest through Mr Bob Wood's office to Dave Dillon that if there was an opening in the year 2002 that would be an extension of my career, I would be interested in looking at something like that. The Honourable Dianne Cunningham was also made aware of my pending retirement.

Then, in March of this year, I did receive a call from Dave Dillon about this possible opportunity. It was at that time that I submitted an application. Following the arrival of my application, I did receive a call from Mr Rob Adams, the chair of the two committees, and he explained to me the work of the committee and wanted to see if I was still interested. He also inquired about my background at that time.

Mrs Dombrowsky: When you indicate you submitted an application, was it for a specific board?

Mrs Smith: Yes, for this board, the Child and Family Services Review Board and the Custody Review Board.

Mrs Dombrowsky: So they operate in tandem. Is that it?

Mrs Smith: Yes, they do, as I understand it.

Mrs Dombrowsky: OK. So we understand that you have come to be here because you were able to contact your local member and indicate that you were prepared to share your expertise, your background and your energy by participating on a board for the province of Ontario.

Can you perhaps describe why, because there are a wide range of boards and agencies, this one was of particular interest you?

Mrs Smith: Well, I know there are several boards, and perhaps if another one had been made available, my interest could have been there as well. But this opportunity did come forth and as you can appreciate, having been involved and working with students, this would be an extension of my career. I felt that the values that I have, being a good listener, I have a high regard for the plight of individuals and the youth and children of this province—that I would ultimately make a good member of this committee.

Mrs Dombrowsky: I do want to make a comment. I know the member from Kitchener, Mr Wettlaufer, had made some observations about the folks from child and family services, those representatives who would visit his office, and those representatives who also come to my office. However, I'm really surprised, because I do receive quite a different report from these folks than the one that Mr Wettlaufer has received. People who work in the system providing services for children are regularly perplexed and disappointed and disillusioned that they are not able to access the kind of resources that they believe children need.

1020

You're obviously going to be in a role where you see children in difficulty. Do you feel that in your role you have any responsibility in terms of advocacy if you regularly see children who come under appeal, and do you recognize that much of the circumstance relates directly to a lack of support for families and children? Do

you see that you have a responsibility in your role to advocate for better resources and services for these situations?

Mrs Smith: The board's mandate is to provide a review mechanism for the children and youth of Ontario. I feel that both boards offer a lot when they can sit as an independent group of people and listen to these situations that various youth have encountered. I would hope that through the work of the board we would be able to help out, but I recognize we will be working under the mandate and the act. I respect both of those guidelines. I look forward to the training that would come following my appointment to learn more about the act and the mandate.

Mrs Dombrowsky: I didn't intend that to be a difficult question or a trick question. I also think that people on a review board would be able to understand or appreciate programs that are working well, and it would be equally important to have people understand that when you think there are programs that are serving families and children well, that should be known. Conversely, I also believe that when there are shortcomings in the system, when they are amply evident and when the needs, particularly of children, are not being met, representatives on a board have a responsibility to make some comment about that to try and arrest the problems. It might prevent you from seeing the same sorts of problems on a regular basis.

With regard to children's aid societies, many of the young people or many of the cases you will be required to review will have had experience in, or will be in, the children's aid society system. Do you have, right now at this time, an understanding of how well the children's aid society system is working in our communities or any of the challenges CASs might be facing?

Mrs Smith: The CAS of course has been operating for some time and in most areas they have situations that are difficult, but with the review process that's in place now, I think that is helping them a great deal, both as an agency and for individuals as well. Through the board, the process of hearing appeals is helping them, but I'm also aware that there are lots of young people who are going through the agencies as well.

Mr Tony Martin (Sault Ste Marie): Good morning. I take it from your answers to other questions and from your presentation at the beginning that you take this appointment quite seriously and to heart and want to do a good job.

Our concern here always is to make sure these arm's-length boards actually do a job separate from any political consideration or connection because of the appointment. As to your own political involvement, I note by your resumé that back in 1986 you were involved in a group looking at women seeking involvement in politics. Did you come to that from any particular political persuasion, and what would be your political connections at this time?

Mrs Smith: I am a card-carrying Progressive Conservative. It was by an invitation as the riding president

for Middlesex that I was invited to serve on the committee looking at women being involved in politics.

At that time the people that were invited to serve were not necessarily from one party. There were reeves of municipalities, trustees of school boards. They were looking at recruiting female candidates, attracting female voters. It wasn't just for one party. We looked at it in many ways. That was in August 1986 that I was involved with that.

Mr Martin: What would your position be vis-à-vis the whole question of young offenders? Do you think we're being too tough, not tough enough? What's your take on that whole area? Do you think the federal government is doing a good job in terms of, for example, the reform of that whole area?

Mrs Smith: In regard to young offenders, it certainly is the responsibility of the government to make the policy. I do feel that both individuals or young offenders need to be held accountable for their actions. I know the Young Offenders Act certainly does provide directions. It offers both an open and secure program, and one of their goals is to safeguard the public and the clients and staff, and be sensitive and supportive of the youth of Ontario.

Mr Martin: What about rehabilitation and the restoration of the young offender to a place where he can become, again, a contributing member of society? What part does that play now?

Mrs Smith: I think that's a very important part. Certainly we do have many different types of placements for young people. Whether it be the boot camp near Barrie, or I know through the Thames Valley District School Board we have several schools under section 19 for young offenders who have had some situations where they need help. We have some special schools where they can go to be rehabilitated. I think it is very important that we do work with them as the province and as the government of Canada.

Mr Martin: So you think the boot camp near Barrie is a good example of a rehabilitation program?

Mrs Smith: It is one place—I know it is an intensive and regimented program, but probably in some situations it is necessary. I am very glad that we do have a very diverse plan of being able to help young people, whether it's from that to just a school program that helps them to get back into their community. I am glad that there are many different aspects of rehabilitation.

Mr Martin: What about in the area of adoption? Because you'll have to make decisions concerning that. We have a member of our caucus who has been trying to get an adoption disclosure act through the Legislature, that I carried for a while when we were in government between 1990 and 1995. We just can't seem to get it through the maze here. Is it your view that people seeking information about themselves as adopted persons, or as part of the adoption community—what's your view? Should information be shared freely?

Mrs Smith: I think information should be shared just with those people who are either the child's natural parents, the adopted person or the adoptive parents. I

think that is the way the act is now. I do feel that we should continue in that way so that they can—

Mr Martin: So if it comes down to a question of whether that information is released or not, which way would you naturally lean?

Mrs Smith: I would lean toward having it released to only the appropriate people.

Mr Martin: The adopted person who is looking for information on themselves?

Mrs Smith: Yes.

Mr Martin: Do you think it is appropriate that adopted individuals get to know—whether they make contact or not—who their natural parents are?

1030

Mrs Smith: As I understand it, they do have that privilege now to contact. When they become an adult, if that is going to help them to become a better citizen and adjust, then I think it should be made available to them.

Mr Martin: There's a new piece that's added to the responsibility of these boards you're going to be appointed to. The new piece is this whole question of safe schools and the expulsion of students. There are some who claim that this has now become a bit of a catch-all. I know in my own community I've had at least one example where a school has decided to dismiss a student because of their behaviour, but their behaviour is not a result of just simply coming in and wanting to be violent or abusive. They have behavioural, emotional or psychological difficulties that actually require more in-depth intervention than simply just dismissing them. What's your view of this whole Safe Schools Act and student expulsions? Where would you fall?

Mrs Smith: The Safe Schools Act—and I will make some comments on what I've been familiar with—came in in the year 2000. I know the school boards worked very extensively in the province to look at new policies that would meet the needs of the act, and they did consult with parents and students.

Being involved with school councils, I knew that was certainly being done. They did consult on matters pertaining to a safe, positive learning environment and programs that would assist student behaviours as well. Within the Thames Valley board of education, we have many programs that are going to be what I call preventive programs; preventive things like partnerships that are developed with the boys' and girls' club, Kids on the Block and the police services board. I think there are a lot of preventive things being done as came about from the Safe Schools Act.

I recognize that with the Safe Schools Act, like you mention, there are some sensitive issues about the age of the children and if they are having some emotional problems. As we work through this, since it is a relatively new act, I hope we will be able to recognize the needs of all children.

The Vice-Chair: Mr Martin, one quick question, please.

Mr Martin: OK. What if you discover in your role that those preventive programs aren't out there because

the community is so small, it doesn't have the resources? I met with the school board in my own area last week, and they just don't have the money to participate or be involved in the development of these extra programs for students they might expel. If you discover that those programs aren't in fact there, what then would you do?

Mrs Smith: The Thames Valley District School Board being one of the larger boards in the province, I know we're working extensively, for instance, with the London Community Foundation to help finance some of these programs. I would hope that would be able to be done in all school boards, where you would find people who would assist financially with these programs because I do feel they're vital. Anything preventive we can do is certainly beneficial for everyone.

The Vice-Chair: That concludes the period of time allotted. Thank you very much. We'll be voting on your appointment at the end of the session.

DAVID McCAMON

Review of intended appointment, selected by official opposition party: David McCamon, intended appointee as member, Windsor Police Services Board.

The Vice-Chair: If we may next call forward Mr David Stuart McCamon, intended appointee as a member of the city of Windsor Police Services Board. Good morning, Mr McCamon. Welcome. Am I pronouncing your name correctly?

Mr David McCamon: Yes, you are.

The Vice-Chair: Good. Mr McCamon, feel free to make an opening statement, if you like, and then we'll begin the questioning, this time with the official opposition.

Mr McCamon: I'd like to do that in three parts, Mr Chairman, the first being an introduction to myself—a little more information.

I'm 37 years old. I've lived in Windsor basically my whole life, although I was born in St Thomas. I have a wife and two children, one 17 and one 15. I work at the Ford Motor Co in an hourly unionized position. I went to the University of Windsor. I received my bachelor of arts in history there, and then I got a bachelor of education in 1994 at Nipissing University in North Bay.

I'd like to make a brief statement about why I'm interested in public life in a general respect and then address the Windsor Police Services Board in particular.

There are certain things in life we would like to take for granted. Among these things is the safety of our families, that when our spouses go to work, they come home safely, that when our children go to school, they come home safely. We would like to take for granted that the laws passed by this Legislature and other levels of government are enforced without favour and without prejudice. But we cannot take all that for granted. Somebody has to stand up in public and take that role. We can't leave the responsibility of public issues to somebody else all the time. I believe I have the knowledge and

ability to make a positive contribution to my community, and that has been the focus of my public activities so far.

With regard to the Windsor Police Services Board in particular, I consider police services to be one of the fundamental roles of government. It is perhaps the most visible representative of government and, therefore, one of the most important roles of government.

As a younger man, I had considered becoming a police officer. I ruled that out for myself for a number of reasons, not the least of which was physical considerations and the need for—how should I put it?—reflex and instinct, which maybe I don't possess.

Having made the decision that I was not necessarily police officer material, but noting that it is an absolutely necessary role in our society, I came to two conclusions. Number one, I would not hinder, harass, obstruct or in any other way interfere with the operations or the activities of any police officer, and quite simply that I would never give a police officer a hard time. The second determination I made was that I would assist the police in any way I could, whether it was offering information or assistance, or, as is usually the case, just staying out of their way when the police department has a job to do.

It's this latter decision in terms of helping where I can that has led me to seek the role as a member of the Windsor Police Services Board. I find it's a very important role and one of the most fundamental roles of government.

The Vice-Chair: Thank you very much, Mr McCamon. Beginning the questioning with the official opposition, Mrs Dombrowsky.

Mrs Dombrowsky: Good morning, Mr McCamon, and thank you very much for coming to the committee today. You have very clearly indicated how important you think the role is that police officers play in our communities. In terms of how you have arrived here as an intended appointee, did you respond to an ad in a newspaper? How is it you find yourself here today?

Mr McCamon: Several months ago, I got in contact with the Attorney General's office and I ended up submitting a resumé to them, which I would guess sat in a file for several months because that was quite a while ago, and then I got the call to come here.

Mrs Dombrowsky: You submitted your resumé simply because it arrived in your mind that this is something you wanted to do? Did someone suggest this is what you might do?

Mr McCamon: It's always something that has interested me.

Mrs Dombrowsky: So you weren't encouraged by anyone.

Mr McCamon: Not necessarily encouraged as in, "Hey, you know what? This is something you ought to do. This is the only thing you'd ever be good at." No, nothing like that.

1040

Mrs Dombrowsky: OK. Do you think we need more police officers?

Mr McCamon: I don't see any particular shortage. I haven't considered that a shortage of police officers has been a serious issue.

Mrs Dombrowsky: You obviously considered this role. Have you had an opportunity to speak with members of your community about the quality of service they believe they're receiving from Windsor Police Services? Have you had an opportunity to speak with officers of Windsor Police Services?

Mr McCamon: To be honest, I haven't had a lot of contact with police officers.

Mrs Dombrowsky: That's not a bad thing.

Mr McCamon: No, I was going to say that's a good thing. But among the people with whom I've become friends and associated, there don't seem to be any serious issues right now with the way the Windsor police department is being run.

Mrs Dombrowsky: Do you have any serious safety issues in your community?

Mr McCamon: There are a couple of issues that are on the table right now, the first being the downtown district on weekend nights. It's very busy with bar patrons. At closing time, or even during the entire night, especially in summer, it's a very busy area with lots of younger people often having had something to drink. It's a challenge for the police department to handle that many people all confined into one area.

I spend a fair amount of time downtown. I don't go to the bars, though. The police have a large and visible presence and, to a great degree, that acts as a deterrent, and I think that is being handled well.

Mrs Dombrowsky: What's the other issue?

Mr McCamon: The other issue is that Huron Church Road is backed up on its way to the Ambassador Bridge. It causes traffic jams, tie-ups. It generally does not seem to be a very safe stretch of road at times. There is again a large visible presence of police officers there whenever there's a situation that causes busy traffic and dangerous situations. I think that's being handled effectively as well.

Mrs Dombrowsky: Yesterday actually I had the opportunity to speak with members from the Police Association of Ontario. These are men and women who serve in various city or regional police forces across the province. In Ontario there are basically two ways communities can engage police services. They can either have their own police service or they can contract the policing service with the Ontario Provincial Police. I live in a riding where every community in my riding is served by the Ontario Provincial Police.

Yesterday it was very important for me to have the opportunity to understand what the issues were for police officers in city or regional forces. It came to my understanding that with a city force or a regional force, that budget is more carefully reviewed. There's a more hands-on approach to the budget process at the municipal level. The police services boards submit their budgets to the municipality and the municipality does have the right to indicate it would expect a 0% increase or to present to the

police services board the kind of increase it could tolerate. Consequently, it can happen that police officers are not provided with all of the kinds of equipment they believe they need, and sometimes the fact that the equipment isn't provided relates directly to the fact that the police services board is being very money conscious. I'll just give you an example.

In a community in Ontario, there's a city force that has what they call a containment unit; it's not a tactical unit. If there was a hostage in a home or someone in a home who had a weapon, this is the first response team from the municipal police force that surrounds the house and makes sure that no one goes in the house and that if anyone comes out of the house, they are received safely. They are on site until the OPP tactical squad arrives to determine how best to deal with the situation.

When the OPP arrive, they have Kevlar helmets to protect them in case someone inside the building would have a firearm and could shoot at them. However, it was the decision of a local police service board not to purchase those helmets for the containment team. But really, they're outside; they're containing the site.

I guess the point I'm making is that there are in the province guidelines that would suggest to police service boards that it would be a good idea for containment teams to have these helmets, but it's not regulated. There isn't anything that says a police service board must provide that equipment, so police officers feel very vulnerable that there are occasions when their officers are required to participate in an activity and are not sufficiently protected.

You are a member of the police services board. Do you have an opinion on that kind of an issue?

Mr McCamon: Yes, I do. Perhaps it's from working in a union environment, but I absolutely believe that every worker has a right to go home from his job. That is a job; it's not worth somebody's life. Safety is paramount. If a police officer or a group of police officers is telling us that this is what they need to do the job safely, then that to me really has to be the number one priority. I don't think there is ever a time to fool with safety.

Mrs Dombrowsky: Would you think you might have some responsibility to advocate that guidelines would be more than guidelines and become regulations, so that it is consistent across the province of Ontario that, for officers who are engaged in very risky operations, they would be adequately protected?

Mr McCamon: I'm not necessarily sure that legislation is the way to go or that a hard and fast regulation is the way to go. Certainly, it should be up to the police officer in question. If they need the equipment, it should be available to them. If they choose, for whatever reason, not to, then that's entirely their own choice as well.

The Vice-Chair: Thank you Mrs Dombrowsky. Mr Martin?

Mr Martin: What's your political affiliation?

Mr McCamon: I am an Ontario Progressive Conservative and not the same federally. I'm not a Progressive Conservative federally.

Mr Martin: What are you federally?

Mr McCamon: Alliance.

Mr Martin: You expressed earlier that your interest in being appointed to this board was to support the police. What else does the board do besides support the police, in your understanding of this appointment?

Mr McCamon: The board also takes complaints from the public with regard to the activities of the police department, and they assist the victims of crime as well. I believe the role is also to assist citizens' groups or Neighborhood Watch groups, essentially prevention-of-crime type initiatives.

Mr Martin: What in your view are the biggest issues confronting police these days?

Mr McCamon: The biggest issues—

Mr Martin: Confronting police, and a broader question would be, confronting the whole issue of policing.

Mr McCamon: I think just the regular day-to-day activities of being a police officer and enforcing the law. The biggest issue would be dealing with the public, because a police officer can never be sure what situation they're going to run into. From an issues point of view, that's the key to police services: the police department interacting with the public and how that's handled.

1050

Mr Martin: What about issues like the proliferation of drugs out there and the role of policing the proliferation of gangs, of biker gangs? Is that a growing concern for you?

Mr McCamon: In some ways, yes. I understand there's been some gang activity in Windsor, particularly with the border crossing, and certainly that's a concern. It goes back to how the police department responds to that issue. They have to determine the best way to handle that situation, and the police services board would have to support the requirements of dealing with that situation.

Mr Martin: We've had a lot of violence for a fair amount of time, some would say a growing problem of very tragic violence happening. In the middle of all that, you have a bit of a debate brewing about how police respond to that. There's been the suggestion that police are doing racial profiling. What's your view of that? Are they doing it, and is it appropriate if they are?

Mr McCamon: It's certainly not appropriate in any instance. I can only speak to what I've seen in Windsor. Windsor has several large and identifiable ethnic communities. I'll be perfectly honest with you: I haven't heard the issue of profiling come up in regard to the Windsor Police Service.

Mr Martin: We've had the chiefs of police and the police association to Queen's Park in the last month lobbying us on various and sundry issues. Some of the issues are different because they have different roles, those two groups, but some of them are the same. What do you think their biggest issues were coming to Queen's Park? What would your hunch be that they would be most concerned about and asking us to do something about?

Mr McCamon: You're asking for speculation on my part?

Mr Martin: No, I guess I'm trying to determine why you would want this appointment and what you would want to accomplish. You had mentioned earlier that you wanted to support the police. I guess I want to understand what you meant by that and how consistent with what the police are saying you would be in your view of what is needed.

Mr McCamon: And you're asking that from the point of view of—

Mr Martin: You as a member of the public in Windsor being appointed to the police board: what would you see as the biggest challenge or that the police would indicate would be the biggest challenge facing them?

Mr McCamon: I'm not sure what went on at the meeting of the police chiefs so I really can't speak to that. As far as challenges to the Windsor Police Service in general are concerned, I'm not entirely sure there are any major challenges. I've been very happy with the way the Windsor Police Service operates. I don't see that there's any public outcry against the Windsor Police Service. I don't particularly think that the Windsor Police Service is underfunded by any means. I don't see that the officers are in any extraordinary danger in performing their role. Basically, I'm quite happy with the way that department is run and I don't see any really major issues in the operation of that department.

In terms of what the broader issues of police forces across Ontario are, I don't think I could effectively address that without looking at it more intimately.

Mr Martin: You mentioned earlier that you thought there were enough police officers out there. What if I told you that both the chiefs of police and the police association say there aren't and there is a lack of resources and there are a number of other issues of that nature that they brought before us here? You're obviously not in agreement with that. You think that there's enough of everything?

Mr McCamon: I can't say I'd agree or disagree with that. I can only speak to what I've seen in Windsor. That's where I live, that's where I spend my life, and I haven't seen that that has been an issue.

Mr Martin: You've mentioned the issue of the licensed bars in downtown Windsor. It's been in the media lately in Windsor—

Mr McCamon: Yes.

Mr Martin: —and you have councillors and people involved in policing in Windsor indicating that they don't think they can handle the growth, the proliferation of opportunity and activity there and that they in fact need either a curtailment of further licenses or more police. They have actually hired, it seems, a consultant from the States to give them some advice on how to deal with this. That doesn't seem like a major issue to you coming out of Windsor?

Mr McCamon: Actually, I did identify that as one of the issues that the police service is going to have to deal with.

Mr Martin: You also said, though, that you didn't see any major problems, that everything seems to be hunky-dory. They had enough police, enough resources, everything was OK.

Mr McCamon: From what I've seen, that situation, from a police department's perspective, is being handled quite well. That's from me being in downtown Windsor on the weekends.

Now, as that situation develops, certainly it'll have to be addressed according to the way it develops. Whether that situation gets worse would most likely be an issue between Windsor city council, the liquor licensing board with its zoning regulations and bylaws, and the business community. The police department obviously will have to react to any growth in that situation and it will ultimately be the responsibility of the Windsor city council and Windsor police services board to make sure that situation is addressed as it grows, if in fact it does.

Mr Martin: There's also a challenge, I believe, in Windsor, of people coming across from the States to go to the bars and, I guess, gamble, and that presents a particularly unique challenge to the Windsor area on two fronts: (1) the numbers of people coming over; and (2) the fact that you can't deal with them in the same way as you can your local populace because they go back to the States and chasing them down or following up is a more difficult challenge. What's your response to that? How would you deal with that?

Mr McCamon: I can give you a particular situation that actually happened where there was a young man shot at the main intersection of Windsor's downtown and the police caught that American shooter on the way to the bridge. They apprehended him before he crossed the border. Again, that goes back to the number of police officers downtown and how the downtown area is being managed. When something happens downtown, there is a large and visible police presence and it's an effective police presence. They're trained to do what they need to do. That to me is important in that situation. The system worked.

Mr Mazzilli: Thank you very much, Mr McCamon, for putting your name forward on the police services board. Obviously you've done so because you want some oversight as a member of the community over the Windsor police and the way they operate, and to have your input on the broader policy operation.

You've got an interesting situation there in Windsor because, as you know, Windsor has grown pretty well in the tourism sector.

1100

I can remember after September 11—at that time I was PA in Tourism—occupancy in your hotels was somewhere around 30% or 40%. At that point, you didn't have the problem with the downtown people coming over and spilling on to the streets. The big dilemma you have is, when you don't have that, the community suffers from an economic perspective. When you have that, certainly there are some challenges for the police. Coming from that background, they're going to put forward their arguments on why it shouldn't be there.

But when you look at the broader policy—and this is something bars don't do, and every downtown has this problem. You have a lot of licensed premises in a small radius. Essentially, the problem is, in a small radius you may have 7,000 or 8,000 people leaving the same premises at the same time, at 2:30 in the morning. So it causes a bit of a problem. I think we have to be somewhat innovative where you can have some staggered closings. Business owners can't do that on their own and the police can't enforce that on their own. Legislators here can stop pointing their fingers and do something about it. You can keep everybody in business but you don't have to have 10,000 people going on to the street at 2:30 in the morning in a radius of two blocks. That does pose a problem.

Thank you for taking on the challenge. Keep an open mind and I'm sure you will do a great job in representing your community.

Mr Wettlaufer: I have a comment more than a question.

Mr Mazzilli: Really?

Mr Wettlaufer: Yes, I really do. In the recent weeks that we have been holding these committee meetings, it's quite common for the members of the two opposition parties to question those who have put their names forward as to their political affiliation. It's always whether or not you're a card-carrying Progressive Conservative member. It's been pretty well traditional too that when the vote comes at the end on whether or not to appoint the person, the Liberals and the NDP have opposed those who have put their names forward.

Mr Mazzilli: They're kind of the same party anyway.

Mr Wettlaufer: Yes, I know. The thing that I want to point out to you is that they probably will vote against you and we will probably vote in favour; I say probably. Your qualifications are definitely there. They're above reproach. I was quite pleased with what you had to say today.

The comment is that the Liberals ignore the fact that there are more individual members of the PC Party than there are of the other parties. The Liberals receive more in corporate donations than what the PC Party does. The PC Party receives more in individual donations. There was a really interesting newspaper article a week or two ago about the fact that those who make donations to the Liberal Party usually do so with the expectation that they're going to get something in return. I just wanted that to be on the record.

The Vice-Chair: Are there any other questions?

Mr Wood: We will waive the balance of our time.

The Vice-Chair: I suppose it would be inappropriate for the Chair to respond to any of those comments, wouldn't it? I'm feeling compelled to respond.

Thank you very much, Mr McCamon.

STEVEN RASTIN

Review of intended appointment, selected by official opposition party: Steven Rastin, intended appointee as member, town of Midland Police Services Board.

The Vice-Chair: Our next appointee is Mr Steven Rastin, intended appointee as member of the town of Midland Police Services Board. Welcome, Mr Rastin.

Mr Steve Rastin: Thank you, Mr Vice-Chair.

The Vice-Chair: Certainly you have the opportunity to make an opening statement. Feel free to do so and then we'll begin our questioning with the third party.

Mr Rastin: I would like to make a brief opening statement. I would like to thank this committee for the chance to be here today to explain why I would like to sit on the Midland Police Services Board. I appreciate the opportunity.

I've provided a resumé. I don't propose to go over that resumé in its entirety, but I would like to perhaps flesh it out a little bit and give some more background.

I'm currently a lawyer practising in Midland. I grew up in London, Ontario. My wife grew up in the riding of Mr Wood. I grew up on the north end of the town. I enjoyed living there very much. After law school, I practised in London for a short period of time. Then I was attracted to the lights of downtown Toronto, and I took a job on Bay Street. It didn't take me long to realize that Bay Street wasn't for me. I had two children at the time, whom I never saw.

I also very much felt that I could not make the differences I wanted to make in my community being a nameless, faceless lawyer in a sea of nameless, faceless lawyers, so I moved to Midland. I had the opportunity to do that. I started working with a firm that was called Ferguson & Boeckle, which later became Ferguson Barristers. I moved to Midland about 1996. I became a partner there about 1999. Recently, in the last four months, I've left with my new partners, John McCarthy and Ted Bergeron, and we've formed a new law firm. We have offices in Midland, Barrie, Lindsay and Kingston. We serve the public doing civil litigation work, and I also do some labour and employment work.

In terms of other activities, I'm a member of various legal organizations like the Ontario Trial Lawyers Association and the Advocates' Society, which probably don't interest this committee that much with respect to my qualifications. In law school, I was involved in service. I sat on the admissions committee at UWO. I was the justice commissioner, which meant that I ran the student court and had something to do with services at that time. Since going to Midland, I've joined the Midland Rotary Club. I'm an elder—I can't believe I'm an elder at the age of 37—of the Knox Presbyterian Church. I'm active in the Rotary Club. I'm active in a number of charities including heart and stroke and the cancer society, primarily in fundraising. I've also sat for six years as a trustee of the Huronia District Hospital: two years as vice-chair, two years as chair. I've found that to be an excellent way to represent and serve my community. During that time, I've fought for my community in terms of funding for the community, access to services and that sort of thing.

I want to say that this is an appointment which I take extremely seriously. I view health and police services as

probably two of the most important aspects of what government does. When there were initial consultations with me about whether I would be prepared to sit on the board, I talked to a number of people about it. I asked myself if I could represent my community and make a positive contribution, and after having all those considerations, I said yes.

I do have some background, although I don't do criminal defence work or anything like that. I represented the Haldimand-Norfolk Regional Police before they were taken over by the OPP. I know Larry Hembruff, who used to be the head of Haldimand-Norfolk, fairly well. So I am familiar with policing issues and a lot of the funding issues, and I do know a lot about what's going on in terms of the relationship between the OPP and local police authorities and that sort of thing.

So that's a brief introduction about what I've been doing for the last few years.

Why do I want to sit on this committee? I'm sure I'm going to be asked that in more detail. Largely because I want to make a difference in my community. I view the police services board as the link between the community at large and, let's face it, a force that has a lot of power and authority. When a police officer with a firearm approaches a citizen and says, "Get out of your car" or "Do this," it's an intimidating and frightening thing for people. We expect our police officers to protect us. I have three young children. I teach them, like everyone else, "When you're in trouble, you go find a police officer." It's important that the public believe the police service is protecting them, is there for them and is responding to their needs. I view this as a crucial function and, if you find my appointment satisfactory, I intend to do what I can to ensure that police services work smoothly in the Midland area.

The Vice-Chair: We'll begin the questioning with the third party.

Mr Martin: Thanks for coming. What's your political affiliation?

Mr Rastin: I am a provincial member of the Conservative Party.

1110

Mr Martin: In your view of policing, you've given some specific examples of where you think the police need to be involved and supported. Do you have an overall view, philosophy or approach to how policing should work, and how that might be done perhaps more effectively?

Mr Rastin: I think that the situation is more complex than it used to be. Maybe I'm over-simplifying, but I think that policing needs to change and evolve.

In our community, I think that relates to a number of areas. As a layman, one of the things I would like to see more of is more involvement in community policing. One of the issues we've had in our community—and I've talked to members of council about this. Larry Hembruff used to be the chief of police in Midland and I've talked to him about this. Paul Hamelin is a former Rotarian. He's the chief of police. I've talked to him as well. One

of the problems we have is that there isn't a place for young people to go and do things in our community. If you go out on a Saturday night at 2 o'clock in the morning down King Street in Midland, it's amazing how many young people are out there in the streets. As a parent, that's something that has always concerned me.

The perception among too many young people is that police are people to be avoided. One of the things I know that they've tried to do at Midland Police Service is to get out into the schools and meet the children more and to forge those bonds.

Another area is, and again, I'm trying to be specific to Midland, we do have a biker problem, a gang-related problem. There have been signs that there's been a recent attempt to put a biker gang house in the town of Midland. Steps are trying to be made in terms of municipal bylaws and other things to make that more difficult. I view this as a huge and serious pressing issue for the police service to deal with. As a father of three children and as a member in the community, I'm terrified of what bikers can do to communities. I don't view that as positive for our community.

I view another issue, for the police service, to be in relation to the funding issue. I saw that in terms of the whole OPP versus municipal funding thing. One of the concerns I have is, if you go one way or the other, everywhere around us is OPP. We're one of the few municipal places left. One of the things I'm hearing is the OPP have gone in, given a lowball quote and then when it comes time for renewal in three or four years, the prices have ratcheted up to the point where the ratepayers are no better off than they were before, and they've lost that autonomy.

So those are all issues in terms of the visions where I want to go.

I want to echo one of the comments that the previous appointee made, and that is, I don't feel that cost considerations are something that should be on the table in the safety concern. One of the questions Mrs Dombrowsky had related to helmets. My view is, if you need helmets to be safe, you buy them. And if that means if you go into deficit, you go into deficit. There's isn't enough money; I've spent the last three days at the Ontario Hospital Association conference listening to Senator Kirby and others talk about how our present health care system isn't sustainable. I know there's not enough money, but where safety issues are involved, I don't think we have a choice. I think we have to spend it.

I don't know if that answers your question, but those are the primary issues that I see.

Mr Martin: I'm happy to hear you mention community policing and the need to further that approach. I think that will help. I'm also happy to hear you mention the difficulty that we're facing these days in terms of biker gangs. Policing and protection of the public is becoming, as you said, a more sophisticated and complicated issue.

We've had the chiefs of police and the police association through here in the last few weeks talking to us

about the issues that they see confronting them every day. Contrary to the member who spoke before you, they're indicating that there's a lack of resources, a lack of police officers on the street. If they're going to have to deal with biker gangs and that kind of activity, they're going to need more.

If it was a choice for you, as a card-carrying member of the Conservative Party, to give tax breaks or keep more money in the public coffer in order to be able to provide better policing, which would you choose?

Mr Rastin: I guess I should preface my response by saying that my view is that I am being appointed to a role. You can ask Mr Dunlop, who is the local member, if I have ever gone to him in my other hat as past chair of the hospital and said, "Listen, we need more money." Have we knocked on the doors of Queen's Park? Have I had to bite my tongue when speaking to bureaucrats on the issue? My job is to represent my constituency. It means that I'm going to have to follow my own conscience and what I believe is right and what I believe protects them.

I wasn't approached, I don't think, politically. I was approached by two members of the current police services board who knew me through my community involvement and asked me to participate. I'm not sure of this, because I don't know the process, but I don't think it had anything to do with political affiliation as much as it had to do with community involvement.

Having said that, to answer your question, if more money is needed, then we have to get more money. I don't know the issue in terms of tax breaks because my understanding is that a lot of the funding for police services comes locally.

I can tell you that one of the problems we have in the Midland area is that we're a somewhat economically depressed area as compared to certain other areas. We actually had our population decline in the last census. Midland is coming to be regarded in some circles as a retirement community, where people come and retire but maybe don't have a lot of money that they're adding to the tax base, not in the same way that, say, a new factory or something would. So financing is an issue.

If your question is, if we need more money would I advocate for more money, yes. Would I ask council to allocate more money? Yes, if I believe that's what the constituency needs to be safe.

Mr Martin: I appreciate that answer.

There always seems to be some issue top of mind where policing is concerned in the province. If it's not one thing, it's something else coming forward, each of them as important and critical as the other, it seems.

At the moment, there's a question as to whether there's racial profiling going on. That sort of raised its ugly head after September 11, if you'll remember, and then again, just recently, there was a series of articles in the Toronto Star. What's your view on that? Is it happening and, if it is, what can we or should we be doing about it?

Mr Rastin: In terms of is it happening, I can only tell you that I have had a conversation with one of the

members of the Midland Police Services Board who has told me that it isn't happening in Midland.

What's my view of it? My knee-jerk reaction is that I'm opposed to it. Having said that, I would like to think that I wouldn't make a decision on an issue until I've heard all debate and that sort of thing. I would like to say that I don't have a closed mind and maybe somebody could convince me. Generally speaking, I find the American initiative in terms of racial profiling of Canadian citizens at the border to be offensive.

I don't see the advantage of profiling someone. That has a lot less to do with my community. Midland is much less racially and ethnically diverse than certain other areas of the province. That's one of the things that struck me and my family when we moved up there. There are other issues, but the racial diversity is different there and I believe the issues would be different. But it doesn't change my basic view that probably it wouldn't make a difference. You can't treat somebody any differently because of the colour of their skin. Even if, as a generalization, some group might do something more often than some other group, it doesn't tell you anything about any given individual.

Mr Martin: The other day, the police association came forward. It seems that no matter when they come forward, the issue of the SIU comes up. It's a problem for them. What's your view on the SIU?

Mr Rastin: I think there needs to be something like the SIU, obviously, because there has to be a sense that at the end of the day a police service, a police officer, any body is accountable to a civilian authority. I've heard those problems and those issues, those presumed-guilty-until-proven-innocent complaints. But having said all that, I think there needs to be some level of discomfort. If the chiefs of police were happy with the SIU, that would make me wonder that maybe the SIU wasn't completely doing its job.

I'm sure there are specific incidences where there are specific areas of grief and they might have legitimate complaints. I think that would have to be done on a case-by-case basis, but generally speaking I'm in favour of having an independent overseer body like the SIU involved in police services.

1120

Mr Martin: Thank you very much.

The Vice-Chair: Sorry, Mr Martin; we've run out of time again. Mr Mazzilli.

Mr Mazzilli: Mr Rastin, thank you very much for putting your name forward. You came from London, I heard. What's going on? Are all the London people moving to Midland? The chief, Paul Hamelin, worked in London, as you may know, for many, many years.

Mr Rastin: Mr Mazzilli, there's no water in London.

Mr Mazzilli: There's no water in London. That's what he said. But of course he was from Midland to start with and then came to London to work and then went back to be chief in Midland.

We heard from the previous intended appointee of peak times in Windsor, obviously when the bars are getting out and so on. In Midland you've got a different

problem because your peak time is in the summer months. When you talk about not enough resources, this will always be the problem in any kind of emergency service. It's the peak times: how do you get people out there between 2 and 4 in the morning, a whole bunch of people? You don't need them, generally, before that or after that. How do you have it appropriate? In your case the peak time is not 2 to 4 in the morning; it's July and August. How do you handle that in Midland? You're not a member of the board now, so—

Mr Rastin: How would I handle it? I would hope we would try and do things like flexible scheduling. One of the things I'm aware of in the work that we did for Haldimand-Norfolk is that they have auxiliary volunteer officers and things like that who can be assigned to increase numbers and there is some flexibility. I know they're not full police officers, but they are another person in a uniform with the police officer. My perception is that a lot of times it's not as important that you do anything; it's that you be seen out on the streets and there be a perception that the police service is out there. I think it has to be with scheduling issues and shift issues. It's hard to go out and hire temporary people, quite frankly, in terms of a police officer, when you look at the skill set that's out there. It's also one of the things you try and deal with through community policing initiatives and that sort of thing.

Mr Mazzilli: I certainly accept what you say. I don't necessarily agree with all of it. Perception certainly works sometimes. Sometimes you're expected to know what to do; the uniform alone won't help you, and you'd better take control of situations. But in a place like Midland I can accept the fact that the community would have to get involved and things may have to be done a little bit differently.

What's your vision of community policing? Everybody throws the term around. I've heard it many times. What's your interpretation of community policing?

Mr Rastin: I think we could probably debate that for a few hours. I have specific ideas of what I think community policing entails. One of them is getting police officers into the schools and meeting with the children. The second one is getting the police services board into the community and perceived to be partnering in dealing with some of the issues of young people.

One of the things that we as a Rotary Club did in Midland is we put a skate park together. One of the big problems that people were complaining to the police about on a regular basis is that there was nothing for the kids to do, so the kids were skateboarding in their parking lots and that sort of thing. The police supported this project and the Rotary supported it and we gave the teenagers a place to go, and everybody's happy with it. That, to me, is a community initiative. Public awareness issues, you know, in terms of the drug issue—we have the opportunity to tell kids what drugs will do to them.

Mr Mazzilli: That's my point.

The Vice-Chair: Mr Mazzilli, very quickly—

Mr Mazzilli: Bob Wood and I are on the road doing George Chuvalo's Fight Against Drugs Ontario/Crime

Control Commission forums throughout the province. We have certainly a lot of violence in society, a lot of people fighting for drug turf. They wouldn't be doing that if they were the consumers. At this stage we've got to get the message across that drugs contribute to all of these other problems, and that can only be done through enormous public education right at the schools level. I thank you for the initiative; good luck in your new job.

The Vice-Chair: Thank you very much for your wise words.

Mrs Dombrowsky: Good morning, Mr Rastin, and thank you very much for coming this morning. I'm very happy that you had an opportunity to hear some of the questions for the previous intended appointee and I do appreciate the comments you made around equipment.

I want to get to another part of that, but since you were here and did hear the remarks that were made with regard to that particular appointee, I think it is very important as well to point out to you that in my role on this committee I try to understand how it is that an individual has come to be appointed to whatever role it is. Mr Wettlaufer is wrong when he would suggest that we always ask about political affiliation. I'm happy to say that I do support intended appointees who come here who have indicated that they are members and active in the Progressive Conservative Party. I think it is important that our citizens involve themselves in the political process. I know I depend on that very much in my own association. I'm very happy to say that I have been able to support intended appointees who have very clearly indicated they were of a political affiliation not the same as mine. If you stay around this morning, you will be able to see that I will prove Mr Wettlaufer wrong on that particular matter.

With regard to the issue that I spoke about with the intended appointee around equipment—and I'm very happy you made the comment that you did around safety. My question to the previous appointee was, does he believe that there should be provincial regulations for these sorts of things? Should it really be left up to the local board to determine whether or not they want to make that expenditure, or do you believe that our officers deserve a standard regardless of what community they live in? Conceivably, an officer from a force in Midland who would have enjoyed the benefit of your wisdom and support could go to another community where he might be more vulnerable because the police services board there would have made a different choice. What I'm asking you is, do you have an opinion about whether or not such issues should be regulated?

Mr Rastin: I think that's a difficult question. I guess I would answer that in two parts. I don't think it is my role to propose legislation or advocate for that sort of thing. My role is to serve my constituency. Having said that, I will tell you that one of the concerns I've had moving from a larger centre to a smaller centre is my perception that services are weaker in smaller communities in health care, in police service, in telephone service and cable service—across the board—and sometimes I think that perhaps because we live in rural Ontario we're expected to put up with less, and I've always opposed that.

If I can say, a regulation that would establish a safety benchmark, that was a required safety benchmark—I don't see how you could oppose that. I might get into more of an issue when we have regulations that deal with policies and procedures, because that might need to be done on an individual community-by-community basis. What's good for one community might not be good for another in a policy or procedure. That's why we have police service boards. On safety issues—should you have these Kevlar helmets when you're in a containment group? I would think that on universal issues like that, it would be difficult to oppose that type of regulation.

Mrs Dombrowsky: I'm happy to hear you say that. You could be in a situation—you've indicated to me that you believe when the safety of an officer is at stake they absolutely should have them, but that doesn't mean that the majority of people on your police service board would share that opinion. If it is not a regulation, it is conceivable that even in your own community a decision would be made that might compromise the safety of an officer. That's my issue around whether or not these are guidelines from the province around safety; but they are not regulated. The concern of the officers is that there is not a consistent standard for what they term as life-saving equipment.

I just wonder if, in your role as a member of a police services board, you would be prepared to advocate for a consistent approach to addressing those kinds of safety guidelines?

1130

Mr Rastin: Yes, I think I might. I guess one of the areas where we may differ is I, having sat on a number of boards, including the hospital board for the last six years, have a high degree of faith in which community-based boards will do what's best for their community. There have been situations—again, I'm using the hospital board as an example—where we don't have the money to put another ER nurse in the hospital, but our administration will come to us and say it's a safety issue. Every time that happens, the deficit goes up and we put the nurse in the ER. I guess I have faith that the people who sit on these boards—I mean, we're not sitting on these boards for the money or because we like spending time away from our families. We're sitting on the boards because we want to make the community a better place and we want to do the right thing. I know a lot of the people who are on the Midland Police Services Board and I have faith that they're going to do the right thing.

Mrs Dombrowsky: Do you know how much a Kevlar helmet costs?

Mr Rastin: I have no idea.

Mrs Dombrowsky: Sixteen-hundred dollars, so—

Mr Johnson: How many police officers in Ontario?

Mrs Dombrowsky: Yes, it is significant.

I do appreciate your remarks. What I have noted is that, in my view, you've come to this role particularly interested in the services that a police services board oversees and provides within communities. That is refreshing. Sometimes appointees come here and their

political credentials are probably their best qualification for the job. When we ask why they want to be on this particular board and we receive a response of, "Well, I really wanted to be on another board but this is the first vacancy that came," I have to say it gives me great cause for concern. You very clearly do not fall in that category.

I want to ask you a question with regard to new recruits in a police service. This is another issue that has come to my attention, having had conversations with representatives from the police association. There are a couple of issues. You may know that police officers in the province have been advocating that, because of the level of stress in their job, it's reasonable to consider that after a career of 25 or 27, at maximum 30 years, they should be eligible to retire. While I think few would argue with the good sense or reason behind that, there is a concern that your veteran, seasoned and experienced workforce in a very highly skilled role leave, and then there's a question about new recruits.

A conversation I had would suggest that it's expensive for police service boards to engage new recruits because it means that they bring them on staff and then send them away for a few months to the police college. So really, it's a few months before they get any return on their investment and it can be more cost-effective for them to try to attract already trained officers from other forces. There is a concern among the police that there needs to be more new recruits. They are concerned that there are up to 60 vacancies in the police college.

As a member of the police services board, do you have a particular bias in terms of how you engage new officers?

Mr Rastin: What you're asking me to deal with there is a theoretical problem between what might be best for my community in the short run and what might be best for the province, police service as a whole, in the long run. The short and obvious answer is that it's more convenient for the Midland Police Service to go out and hire three or four trained officers who can start tomorrow, as opposed to having to pay them to go to the college. Mr Mazzilli is right; that's what we've done with our chiefs of police. Historically, we're a small rural community without a lot of money, and maybe it's easy to say, "Go let Toronto train people."

Having said that, in the long term, I know from the nursing issues right now, all that's happening on the nursing front in health care is that everybody's robbing from Peter to pay Paul and we're going to hit a crescendo where it's all going to fall apart. I would anticipate that in the long term the same thing is going to happen. One of the things we might do, and Senator Kirby proposed this yesterday on the health care front, is that there should be federal or provincial dollars allocated to training to put new people into the system and make that happen. I'd be prepared to advocate for something like that. If there are 60 vacancies in the college and we need those 60 officers, let's put some kind of funding program in place to get them through and put them in there. I'd be prepared to advocate for something like that, recognizing that of course there's never enough money to go around.

Mrs Dombrowsky: I certainly appreciate that with a police chief you would be looking for an experienced officer and not a recruit. But the point that was made by the officers, another concern they had—and I was speaking with two gentleman—was that there are very few women being recruited. Would you think that is an issue?

Mr Rastin: I think gender representation is important because, out of all the community policing initiatives that we were talking about, some people are going to respond better to hearing a message from a woman or from a person of colour or whatever. I would think that is an issue that should be taken into account in recruitment.

Mrs Dombrowsky: Good luck.

Mr Rastin: Thank you.

The Vice-Chair: Thank you very much, Mr Rastin. We'll be moving concurrence after our next appointee.

ROSS LAUR

Review of intended appointment, selected by official opposition party: Mr Ross Laur, intended appointee as member, village of Point Edward Police Services Board.

The Vice-Chair: The last intended appointee we're reviewing is Mr Ross J. Laur. Mr Laur, if you could come forward. You will have an opportunity to make a statement if you wish, and then we will begin the questioning with the members of the government. Please feel free to go forward.

Mr Ross Laur: Yes, I'm prepared to make an opening statement. Thank you for the opportunity to appear before you to review my background and to address any questions you may have concerning my intended appointment to the village of Point Edward police services. I was born in Sarnia, lived a short time in Point Edward as a pre-schooler on the corner of Livingstone Street and Victoria Street, moved from there to Camlachie and on to Petrolia.

I met my good wife in high school and was married on October 2, 1965. We settled in Sarnia after our marriage and raised two children, who are both married. We had four grandchildren. Sadly, our oldest granddaughter was killed in a car accident on October 26 of this year in Calgary.

My wife, Mary, and I moved into a condo in 1998 in the village of Point Edward and I am on the board of directors of the condo corporation.

As my CV states, I have been in real estate full-time since 1972. During that time I owned and managed my own firm for a number of years. I enjoy working with people, meeting new people and negotiating the purchase or sale of properties for these people. I have sat on several boards within the Sarnia-Lambton Real Estate Board, including membership and ethics. I am a past president of the Seaway Kiwanis Club. I am an active member on the board of directors of the VON for Sarnia-Lambton. I am a lifetime appointed trustee of our church, St Luke's United. I am a member of the Masonic order Leopold lodge 297, Bruce 53, and the Lambton Shrine

Club and the Mocha temple in London and in Sarnia. I am also a member of the Royal Canadian Legion branch 62 of Sarnia. I have also sat on the Sarnia-Lambton Historical Society for two terms.

1140

I am a long-standing member of the Sarnia Chamber of Commerce. I look forward to sitting on the Point Edward Police Services Board and working closely with the sergeant in command, Mr Stan Korosec, and other board members.

I understand one of the functions of the board is to serve as an advisory body to the commanding officer and I look forward to this challenge. I think it is important that those serving on the board have the requisite skills set to be able to listen effectively, act impartially, think critically and judge fairly.

Thank you for your attention. I look forward to any questions.

Mr Johnson: I just wanted to start off and welcome you this morning and to thank you for coming out from Point Edward. My geography is not perfect for that area, but tell me how big Point Edward is. What's the population?

Mr Laur: Point Edward is a small community that's covered by two sides—one is Lake Huron and we're at the mouth of the St Clair River. Our population is 2,200 people. We have approximately 1,100 homes in the village. My wife and I live in a condo corporation where there are 116 units near the water in that corporation.

Mr Johnson: And your police service, are you familiar with the size of it? How many uniformed officers would you have?

Mr Laur: Yes, we're a small board. There are 10 officers, including Sergeant Korosec; five of those officers are dedicated to the village and the other five are dedicated to work on the 402 highway that abuts us.

Mr Johnson: OK, my other question is—it may be the last one; I'm not sure—the international bridge from the States, does that come into Point Edward and does that bring up policing issues?

Mr Laur: Yes, that's our main issue. We have the twin bridges that go over to the USA. In the last year or two the people who work at the bridge are now able to charge people who come across the bridge for carrying weapons or for drinking violations or whatever. But the minute they find them, they call on our OPP to take them away and lay the further charges, so it is a concern.

Mr Johnson: I'll go into to that a little bit further then, just because it's international. There's also a train tunnel going to the States.

Mr Laur: Yes.

Mr Johnson: Does that policing come within Point Edward or would that be the CN police or the Mounties or—

Mr Laur: I'm familiar with all of that. The CN have their own police and the city of Sarnia has a large force that worked with the CN.

Mr Johnson: Those are our questions. Thank you.

Mr Wettlaufer: Mr Laur, welcome here this morning. I'm going to pre-empt what the opposition would ask you. Are you a card-carrying member of the Progressive Conservative Party?

Mr Laur: Yes, I am.

Mr Wettlaufer: OK, just so we get that on the record because they will ask you that. Like you, I once was a licensed member of the Real Estate Institute and also the Appraisal Institute and I realize the background that you must have in order to achieve those designations and keep the job—

Mr Laur: You too.

Mr Wettlaufer: Well, I probably could have, but I left it years ago. Anyway, Mr Laur, based on that background and the knowledge and experience that is required, I think you're eminently qualified for this position and I certainly would recommend that you be accepted.

The Vice-Chair: Thank you. Mr Mazzilli.

Mr Mazzilli: Thank you very much, sir, for putting your name forward. I know that you probably have more family in the London area—do you have any relatives in London?

Mr Laur: Yes, there are some relatives. We're from a big family.

Mr Mazzilli: Do any of them happen to be police officers?

Mr Laur: No.

Mr Mazzilli: There's quite a Laur family out in the Dorchester area, very close to London.

Mr Laur: Yes.

Mr Mazzilli: I just wish you luck. Obviously you had the opportunity to hear from other intended appointees on different challenges. When it comes to the province of Ontario, it's obvious that one size does not fit all. You heard from Mr Rastin and the challenges they have in Midland. Their peak season is through the summertime. In Point Edward, obviously with the casino you have some different types of challenges of what your peak periods or demand times would be.

I think it was good that many intended appointees of police services boards came forward today because it gives an opportunity for everyone to hear the challenges that others have, and how to keep an open mind and deliver those services for your community. Thank you and good luck.

Mr Laur: Thank you, sir.

The Vice-Chair: We are moving to the official opposition.

Mrs Dombrowsky: Good morning. Thank you very much for coming.

Mr Laur, would you be able to explain for the members of the committee how it is that you have become an intended appointee?

Mr Laur: Sure. I have no problem with that. I was approached and asked if I would consider this. I said, "Sure, I'd love to. Let me dig in and do some background work to find out whether this is something that I would really be interested in."

I am strong believer in giving back. My family, my mom and dad, have taught me to give back to the community, not always take. When I talked to some of the council members, the chief of police and the mayor of our village, I was quite impressed and look forward to sitting on the board.

Mrs Dombrowsky: Were you approached by a member of council or a member of the board to consider this?

Mr Laur: To tell you the truth, a member of the Conservative Party approached me that that opening was there—

Mrs Dombrowsky: A member of the party or a member of the Legislature?

Mr Laur: A member of our local party. That's where I went from there, then, before I said yes.

Mrs Dombrowsky: You indicated that you set about to do a little bit of background research and understand the role. What do you understand are the most significant policing issues in your community? I know you shared with Mr Johnson concerns that relate to your proximity to the bridge that enters and exits the United States. Are there any other issues in your community that you're aware of?

Mr Laur: The bridge and Highway 402 are our major concerns right now with the traffic backup of the large transport trucks. Over 6,000 of those trucks go over the bridge every day. Yesterday they were backed up two or three miles on Highway 402, which is a concern about safety to me.

The other issue that might be of concern is the casino, as was mentioned. They have a good security system there and a good gentleman that I know well is head of the security at the casino. We have not had any problems with that, from what I've been told.

Mrs Dombrowsky: Have you had an opportunity to have conversations with officers who are engaged to provide services in your community?

Mr Laur: Only with Mr Korosec, the chief commanding sergeant in charge. I've only met with him. I've not talked to any of the other officers.

Mrs Dombrowsky: Do you think we need more police officers?

Mr Laur: The council in the village—the mayor in the village indicates to me that they think we need more since September 11, the demand at the bridge, that type of thing. I look forward to working with them and could tell better once I'm on the board.

Mrs Dombrowsky: You think that you might be able to support an initiative that would advocate for more officers in the province?

Mr Laur: Yes.

Mrs Dombrowsky: That's interesting to hear, as well.

Finally, with respect to the role that you would have on your police services board, what makes it a little bit different from the other intended appointees that we've had earlier this morning, who are appointed to police services boards, is that they are appointed to city or regional boards. They have a very direct say in who the chief will be, budget expenditures and so on. However, in

your particular case, your board, because you contract your services with the Ontario Provincial Police, is more advisory in nature. Do you have an opinion about that? Do you think that's problematic? Do think there should be more say afforded to police services boards who engage the services of the OPP?

1150

Mr Laur: I'm quite happy with being in the advisory position on our small board.

Mrs Dombrowsky: That will conclude my questions. Thank you, Mr Laur.

Mr Martin: Thank you for coming this morning. We have a couple of things in common. Point Edward and Sault Ste Marie were two of the first to have the new charitable casino operations in their communities, and the challenges they present, as well as the opportunities.

I just want to let you know that being a Progressive Conservative doesn't diminish you one iota in my eyes. What concerns me, though, is when I sit here and watch four appointees in a row from a Conservative background. I don't think that presents a healthy mix in terms of appointments to all these very important boards across the province. That concerns me, because the four that were brought forward this morning were picked primarily at random from a whole host of other appointees that were put forward. That all four would turn out to be of the same political persuasion is indeed a concern, but it's a pattern that we see here every week as we sit to talk to intended appointees.

I also agree that you're probably imminently qualified for this job, given your background in the community and your understanding of the needs etc. But I wouldn't put too much hope in an endorsement from the other side because we had somebody come forward last week who had absolutely no qualification or understanding of the appointment and they said that was a good thing too. So we're wondering over here what does actually constitute a good appointee from their perspective.

I just have one question and it's a policing issue, because it's a concern for my community. What we're finding in Sault Ste Marie is that because we have the casino and the new emphasis on security that comes with that, and I think there was an agreement that there would be extra police officers, somebody from the alcohol and gaming commission, and a bit more vigilant oversight by the municipality itself, what's happening now is that all the organizations in the community that have run raffles and lotteries for years to support community services like sports teams, health care organizations and so on are starting to be squeezed, and they've come to me. I've got a huge issue before the Minister of Consumer and Business Services right now around that. A lot of them are saying they're going to go under because they're not being allowed to do that which they've always done, which is to help them both support their activities and provide the service that they like to provide to the community.

The cost to families in the community for recreational programs like hockey will go right out of sight because

the money that's been raised through these raffles and lotteries is what has paid for almost half the cost of ice time and making sure that children who wouldn't otherwise be able to play hockey because it's too expensive will be able to play. What they're saying is, there will be less hockey, fewer children playing hockey because they won't be able to afford it, and the organizations won't be able to afford to subsidize them if this continues. Is that becoming a problem in Point Edward?

Mr Laur: No, we've seen no problem yet, but I'm with you. I understand what you're saying. I'm the past chairman of Kiwanis and very involved in Kiwanis. The major money that we make is from bingos. It's the same as what you're talking about; it has declined with the opening. When I did some research in talking to the head of security at the casino, we have now found, being on the border, though, that a lot of our customers to the casino are Americans. So it's brought the Americans over, with the \$1.60.

As far as ice time with the arenas, they're still begging for ice time. In Point Edward have a small arena and in Sarnia there's a sports and entertainment centre with another arena with double ice, and we're still finding that children have to come in at 5 or 6 in the morning to get ice time. I don't see that as a problem yet.

On the Kiwanis side of it, our bingo money went down for a while; it's starting to come back up. I was very concerned about that for a while because we sponsor a children's animal farm and park whereby our Kiwanis group donates approximately \$50,000 a year to the city of Sarnia to keep that open for children so that it's free for school buses and the kids to come in.

Mr Martin: That's all the questions I have this morning. Thanks.

The Vice-Chair: Thank you very much, Mr Laur. We appreciate you taking the time, particularly in light of the tragic loss your family suffered recently. I can only imagine how difficult it's been, and sad. We thank you for making the time to come here.

Mr Laur: Thank you.

Mr Mazzilli: On a point of order, Mr Chair: We've been hearing a lot on this committee about the cards people carry, political or otherwise. I just want to be assured by this committee that there's no profiling kept on what colour of card someone may be carrying who comes before the committee. As long as I'm assured of that—

The Vice-Chair: I'm not sure you want to make light of this; I don't know if that's something I would deem appropriate as Chair.

Interjection.

The Vice-Chair: And it's not a point of order. Thank you very much.

Let's move to concurrence, if we may. We will first deal with the appointment of Margaret S. Smith, intended appointee as member of the Child and Family Services Review Board and Custody Review Board.

Mr Wood: I move concurrence.

The Vice-Chair: Mr Wood has moved concurrence. Is there any discussion? All those in favour? Opposed? Carried.

We then move to the next selection, Mr David Stuart McCamon, intended appointee as member of the city of Windsor Police Services Board.

Mr Wood: I move concurrence.

Mr Wettlaufer: Recorded vote, please.

The Vice-Chair: Mr Wood has moved concurrence. Any discussion?

Mr Wettlaufer has asked for a recorded vote.

Ayes

Johnson, Mazzilli, Wettlaufer, Wood.

Nays

Dombrowsky, Martin.

The Vice-Chair: Mr McCamon's appointment is carried.

We next have the appointment of Mr Steve Rastin, intended appointee as member of the town of Midland Police Services Board.

Mrs Dombrowsky: A recorded vote.

The Vice-Chair: A recorded vote is being asked for.

Mr Wood: I move concurrence.

The Vice-Chair: Mr Wood has moved concurrence. Any discussion?

We'll have a recorded vote again.

Ayes

Dombrowsky, Johnson, Martin, Mazzilli, Wettlaufer, Wood.

The Vice-Chair: A unanimous recorded vote. That is carried.

We then have the final appointee, Mr Ross J. Laur, intended appointee as member of the village of Point Edward Police Services Board.

Mr Wood: I move concurrence.

Mr Wettlaufer: A recorded vote, please.

The Vice-Chair: Mr Wood has moved concurrence, and there's another request for a recorded vote, I believe. Any discussion?

Ayes

Dombrowsky, Johnson, Martin, Mazzilli, Wettlaufer, Wood.

The Vice-Chair: That is carried.

I believe that completes our business for the day. Do we have a motion to adjourn?

Mr Wood: So moved.

The Vice-Chair: Mr Wood has moved adjournment. All those in favour? We are adjourned.

The committee adjourned at 1159.

CONTENTS

Wednesday 20 November 2002

Subcommittee reports	A-143
Intended appointments	A-143
Mrs Margaret Smith	A-143
Mr David McCamon.....	A-146
Mr Steven Rastin.....	A-150
Mr Ross Laur	A-155

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Wayne Wettlaufer (Kitchener Centre / -Centre PC)

Mr Bob Wood (London West / -Ouest PC)

Clerk / Greffière

Ms Anne Stokes

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

CA20N
XC19
-G52



A-11

A-11

ISSN 1180-4335

Legislative Assembly of Ontario

Third Session, 37th Parliament

Assemblée législative de l'Ontario

Troisième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 27 November 2002

Journal des débats (Hansard)

Mercredi 27 novembre 2002

Standing committee on
government agencies

Intended appointments

Comité permanent des
organismes gouvernementaux

Nominations prévues



Chair: James J. Bradley
Clerk: Anne Stokes

Président : James J. Bradley
Greffière : Anne Stokes

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 27 November 2002

Mercredi 27 novembre 2002

The committee met at 1003 in room 151.

INTENDED APPOINTMENTS

GLEN CAMELFORD

Review of intended appointment, selected by official opposition party: Glen Camelford, intended appointee as member, Social Benefits Tribunal.

The Chair (Mr James J. Bradley): I'll call the meeting to order. Our only item of business today is under appointments review, and our only appointee today is Mr Glen R. Camelford, intended appointee as member, Social Benefits Tribunal.

Sir, you may come forward. As you are likely aware, you have an opportunity, if you wish, to make an initial statement. Subsequent to that, each of the political parties represented on the committee has a chance to direct questions to you for up to 10 minutes. Today, I understand, the rotation would be moving; it will be the official opposition.

Welcome, sir.

Mr Glen Camelford: Thank you, Chairman Bradley and members of the committee, for inviting me to attend this examination to consider my appointment as a member of the social services tribunal. By way of introduction, I would refer to my background as a financial manager for a Canadian division of a US multinational firm. While the title denotes financial stewardship, a large portion of my efforts were devoted to the evaluation of processes and competing proposals from a varied range of stakeholders. Invariably, as the gatekeeper for the Canadian division, my role demanded that I conduct my analysis and decisions with objectivity, thoroughness and at all times within the law.

Throughout my career, I have served and have been sensitive to multiple stakeholders who would be impacted either directly or indirectly within any given evaluation. Some of the stakeholders who could be impacted on any one decision would be employees, consumers, owners, officers and directors and, not least, legislative authorities.

Through my work in industry I have discharged my duties with trust, dignity and respect for all those impacted. My broad review of the position of member, social services tribunal, indicates that this is composed of many facets and principles, some of which are independence, objectivity and integrity, to name but a few.

My approach to this position, if confirmed today, would be based on the same values of trust, respect, dignity and responsibility discharged through objective and timely evaluations. My readings relative to this position indicate that it promises to be both challenging and provide a forum of continuous learning.

Ladies and gentlemen, I believe that my broad professional background and my work ethics, combined with a continuous learning habit, make me a suitable candidate for the appointment in question. I am well prepared for the rigours of this position and have the full support of my wife and children.

Thank you for allowing me to appear before you today. I welcome any questions you may have.

The Chair: Thank you very much. We'll commence the questioning with the official opposition.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Good morning, Mr Camelford. Thank you for coming and sharing your remarks with us this morning. I'm always interested to know how it is that you have come to be here this morning as an intended appointee for the Social Benefits Tribunal.

Mr Camelford: Certainly. I had made inquiries of our local constituency office as to opportunities within the government that might best utilize my skill sets.

Mrs Dombrowsky: Your local constituency office would be with whom?

Mr Camelford: It's in Whitby and it would be with Minister Flaherty.

Mrs Dombrowsky: Minister Flaherty. So you indicated that you were interested in a role on a government board, agency or commission?

Mr Camelford: That's correct.

Mrs Dombrowsky: Did you specifically indicate you wanted to participate on the Social Benefits Tribunal?

Mr Camelford: Not specifically.

Mrs Dombrowsky: I am curious because when I read your background—and certainly you have some very impressive credentials—I would say, however, there isn't anything in your background, at least that you have put in this document, where you've had any experience in social service agencies or areas. Perhaps in a volunteer capacity; have you any of that experience?

Mr Camelford: Yes. If you're looking at a résumé of mine, I believe at the very bottom it would indicate that in my community activities I was one of the founding

directors of the facilities for the disadvantaged within the Whitby area.

Mrs Dombrowsky: Whitby Housing.

Mr Camelford: That's correct.

Mrs Dombrowsky: A non-profit housing corporation. OK, do you think the levels of support for people on social assistance are adequate?

Mr Camelford: Overall, I believe that they are adequate.

Mrs Dombrowsky: And what would lead you to say that? Why would you say that?

Mr Camelford: In reviewing the materials that have been made available to me and looking at both the numbers and the improvements that have taken place, as I mentioned, from an overall perspective I believe that they are adequate.

Mrs Dombrowsky: Are you aware that people who would be receiving Ontario disability support, who would be participating in that program, haven't had a raise in their support in about 10 years?

Mr Camelford: Yes, I am aware.

Mrs Dombrowsky: With that knowledge, you would still say that you believe they are being adequately supported?

Mr Camelford: On the basis that the support levels for this province are in excess of support levels for other provinces.

Mrs Dombrowsky: But I'm sure you are also aware that while support levels compared to other provinces may be higher, relatively speaking so are all other costs of living. Would you agree with that?

Mr Camelford: Yes, I would. I think there are all different indicators within the cost of living.

1010

Mrs Dombrowsky: You've indicated that you bring a broad professional background to this role. Can you explain for us today, with your background, what you think makes you particularly suited to a role on the Social Benefits Tribunal, where you will be dealing with our poorest and most disadvantaged citizens? What in your background, as a business person, what experiences would you be bringing to this role that you think will qualify you well to deal with the cases you will be dealing with?

Mr Camelford: I would refer to evaluations. I mentioned in my opening address doing numerous evaluations within a corporate setting. In all cases, it involves people, livelihoods, multiple stakeholders. An example might be looking at a change in process where people are being impacted, either for employment or for change of employment. In each case, I have addressed and managed these evaluations and recommendations with the best intentions of all the individuals kept in mind; ie, if somebody must change a position, then I had certainly looked at ways to have the person retrained. I don't know if that gives you a reasonable example of what you're asking.

Mrs Dombrowsky: I understand that when people come before the tribunal, they are usually in situations of

distress. I want to understand what in your work experience, your professional background, would qualify you to assess particular situations and render a fair decision. I have to say that I believe that as to the kind of example you've provided to me, it's difficult for me to connect the similarity in the two situations.

Another point I want to make—I think Mr Crozier perhaps has some points—around the issue of poverty: you're aware of the fact that, sadly, in this province, in spite of our very strong economic times, we continue to have children who live in poverty. Very often these are children who live in families who receive social benefits. In some cases, the social benefits are received because the parents are disabled, in which case the parents are unable to save for their post-secondary education or even save for their own retirement. Are you aware of that?

Mr Camelford: Not specifically.

Mrs Dombrowsky: These are the kinds of cases you will encounter on the Social Benefits Tribunal. I'm very interested to know how much of an issue this is for you, the fact that in this province we have children living in poverty, and they will continue to live in poverty even if you make some affirmative decisions in favour of families on the tribunal. Is that a significant issue for you?

Mr Camelford: Yes, it is. I, like all others, do not want to see people living in poverty or children being disadvantaged.

Mrs Dombrowsky: I have to say that response confuses me, because initially you indicated that you believe the compensation provided for people on social benefits is adequate. I would suggest to you that the reason we have many children living in poverty is directly related to the fact that social benefits—in the case of people on Ontario Works or welfare, their rates were rolled back by over 20%. In the case of people who receive Ontario disability support payments, they have not had an increase in their support in about 10 years. So I must say that I'm more confused by your responses than satisfied.

That would conclude the questions that I have for this appointee.

The Chair: Any further questions?

Mr Bruce Crozier (Essex): Is there any time?

The Chair: Yes.

Mr Crozier: Good morning, sir. In your review of the material you were given, do you know the percentage of appeals that are either granted or denied before the tribunal? It's not a trick question. I don't know, so I just wondered if you did.

Mr Camelford: I remember reading a fair volume of data, but I don't specifically recall seeing the percentage of denials.

Mr Crozier: In your review of the material you've been given for the responsibility you will have, do you see where it is reasonable that you could have a degree of flexibility in dealing with cases that come before you?

Mr Camelford: That's my understanding. That's what I'm looking to action as I would go forward, if accepted by this committee.

Mr Crozier: Because those, as has been pointed out by my colleague, will be difficult decisions because prior to that someone has made a decision in their review of a particular case, presumably based on the rules and regulations that are in place. That's why I need to be assured that you could still, under those circumstances, look at each case on its own with an open mind.

Mr Camelford: That would be my prime goal, that I would look at each case with objectivity and not with any preconceived outcomes.

Mr Crozier: Do you think you would look at it from kind of a legal standpoint? In other words, was the person who first ruled on a particular case wrong, or can I interpret it differently than that? In other words, I want to get to the point that you may not look at it just as being a line drawn and there's no flexibility there, but that there is that opportunity and that you have the authority to have some flexibility.

Mr Camelford: My approach would be to use a measure of fairness within these evaluations, and while there is a law, there is also the need for compassion and for an understanding. Maybe to answer your question, yes, I would use that flexibility in those judgments.

Mr Crozier: Thank you, Mr Camelford.

The Chair: That concludes your questions, and we now move to the third party.

Mr Tony Martin (Sault Ste Marie): Thank you very much. Mr Camelford, do you belong to any particular political party?

Mr Camelford: Yes, I do.

Mr Martin: Could you tell me which one?

Mr Camelford: Certainly. It's the Progressive Conservative Party.

Mr Martin: Have you been actively involved in any of the campaigns in the last couple of elections?

Mr Camelford: Not in the last election, but I am an active member.

Mr Martin: Have you donated to a political party?

Mr Camelford: I'd say no.

Mr Martin: I'm looking at your résumé here and you've worked for Paxar to the year 2000.

Mr Camelford: That's correct.

Mr Martin: And then did you retire?

Mr Camelford: No. The Paxar company had gone through a radical downsizing, removing the bulk of their operations from Canada, back to the US, leaving my position—

Mr Martin: So what have you done for the last two years?

Mr Camelford: I have initiated my own practice in a consultancy and that's what up to this point has occupied my time.

Mr Martin: You understand that this is a fairly full-time position, this appointment to the Social Benefits Tribunal?

Mr Camelford: I do. I see this as very much a full-time position and, as I mentioned in my opening remarks, quite rigorous.

1020

Mr Martin: Is this a career move for you?

Mr Camelford: I see this as a career move, ultimately.

Mr Martin: Do you understand the importance of this tribunal to many of our most vulnerable and at-risk individuals out there?

Mr Camelford: Yes, I do.

Mr Martin: Do you understand the impact of decisions by this government on the lives of many of our at-risk and most vulnerable citizens?

Mr Camelford: Yes, I do.

Mr Martin: The fact that in 1995 they lost about a quarter of their income: there are many people who are dependent on social assistance because they're not well physically or mentally or are in circumstances where they just can't work, yet they've lost 21.6%, and according to the analysis of what's happened since then, they are now about 30% below the amount of income they were bringing in in 1995. Does that bother you in any way?

Mr Camelford: When I take a look back, the readings I have been able to assess so far would indicate that the level of amount of payment prior to 1995 had grown at an exceptionally high rate over the preceding, I believe, eight to 10 years. While the cutback was apparently large, it still left it in a position that was equal to or better than the majority of the other provinces by way of rates.

Mr Martin: A single person in Ontario now gets \$520 a month. Do you figure that's enough to pay for rent and food and clothing, and to support one in participating in a community? You figure that's enough?

Mr Camelford: I would have to think that obviously \$520 a month is a very minimum amount.

Mr Martin: We had a woman in Sudbury, Kimberly Rogers, who was trying to live on that. Then she got cut off completely and then was reinstated, and at the end of the day, because she chose to go to school and collect student assistance, she ended up living on \$18 a month for food, after the rent was paid, and she and her unborn child died. Do you think that's an appropriate circumstance or situation for somebody to have to live in?

Mr Camelford: No. I'm somewhat familiar with the Kimberly Rogers tragedy. I have done some reading on it. Quite frankly, I don't profess to have read all that is potentially available. I've read a number of articles. Obviously, I referred to it as a tragedy, but I also had noted that other members in the community had come forward to alleviate some of her needs, ie, I believe the landlord had waived some of the rent and I believe there was some other assistance as well. So while I think from a pure mathematical point, leaving it down to \$18 a month is extremely difficult, but I do see that there were some other areas of relief that were being offered to her.

Mr Martin: Do you understand that according to the rules that are in place now, to actually accept that help from others in the community would also be factored into the amount of money a person could receive? It would be taken off. And if that wasn't reported, it would be considered fraud again and further penalties could have

been imposed. That's the regime under which and within which very poor people in this province now have to live. I frankly don't know how they do it myself. Kimberly Rogers, even with the help she got, and it's obvious many people in Sudbury cared about her—she died and her unborn child died.

Are you aware that the federal government introduced a program a couple of years ago, in response to an all-party resolution that was passed in 1989 to eradicate child poverty by the year 2000, to give a supplement to the child tax benefit to our very poorest citizens, and that in Ontario, we claw that back? It's significant. It can amount to over \$1,000, to \$1,100 a year per child under a certain age to help with food, clothing and that kind of thing. This government, in its wisdom, has decided that people collecting money from the province shouldn't get that money, so they're clawing it back penny for penny from their social assistance cheque. Do you think that's an appropriate thing to be doing?

Mr Camelford: Truthfully, I was not aware of that particular legislation, from a federal perspective, and not aware of the total impact, the total numerics, as to what's going forward to a family. I'm really not in a position to give a valid comment on that.

Mr Martin: What concerns me is that we already have a significant portion of our population at risk and vulnerable in the province, by way of decisions made by this government very directly on their behalf. We have established a tribunal to be a court of last resort for these people when they don't find that system working for them. That we would appoint people to this tribunal who would be supportive of, or not understanding, the effort of this government to really push people who are already in poverty into even deeper poverty, and by that expose them to even greater risk to themselves, their children and in fact, in the case of Kimberly Rogers, to their lives—I'm wondering, is there anything else you can tell me here this morning that would give me any comfort or reason to believe that you would, if not be an advocate in some way on the tribunal on behalf of those who come before you who are at risk—we know the risk because we've seen it now in the province—or at least, given your political affiliation and your response to some of these questions, and to the question that was asked earlier whether you thought the amounts were sufficient, that in fact you thought they were, is there anything there to indicate to me that I should be comfortable in agreeing to your appointment to this tribunal, given some of the things I've put in front of you this morning?

Mr Camelford: As I maybe mentioned in my opening remarks, I would be looking at each case in an open and objective manner and would deal with or work through it in a fair and honest manner. With that comes—fairness has to be the operative word.

The Chair: That concludes your time allocated for questions. The government caucus?

Mr Frank Mazzilli (London-Fanshawe): I thank you very much for standing for this position. My comments are more to our committee. I think this committee has an

important role. Many of the people who come before us are looking for positions where they're adjudicating, whether it's this board or other types of adjudicating positions. Some of the people who come before this committee are looking for a position on an oversight body, like a civilian or community member, whether it's a health body or a police services board. I think there have been some good questions by the opposition in relation to one's ability to adjudicate. However, when we get into policy items, I think we put people who come before us in a very unfair situation.

1030

I'll say it simply. It requires political leadership by our parties and our leaders to tackle those problems and not the people that we have before us. So if some of these issues are a problem that have been brought out, I would suggest we do something about it internally, come out and say how we're going to fix those problems and certainly not ask every member appointed to a board, which has to stick to the legislation, whether they agree with the legislation or not. The question is whether that member applies the legislation in an impartial manner. That's what we want of these people being appointed to these boards.

Again, I thank you for putting your name forward. Good luck.

Mr Bob Wood (London West): We'll waive the balance of our time.

The Chair: Thank you very much. You may step down, sir. Thank you for being with us.

We now proceed to consideration of the appointment

Mr Wood: I move concurrence re Mr Camelford.

The Chair: Mr Wood has moved concurrence in the appointment. I'll ask for any discussion and, a little later on, the votes.

Mr Martin: I just wanted to respond to some of what I think were sincere comments put forward by Mr Mazzilli a few minutes ago and to explain why it is that I can't support this particular appointment.

I understand the divisions and the breakdown in the responsibility that each of us has in this. In my view, it's our responsibility to at least, at the very minimum, not expose those people whom we govern on behalf of and have particular responsibility for—and in my view, those who are most vulnerable and at risk are at the top of the list—to any further damage. So I think it's important that we understand where a particular appointee is coming from and what their leanings might be before we make these appointments. I don't know how a person is going to interpret the act or view the act or make decisions based on the information that's put before him. I want to get a sense of perhaps where he or she may be coming from. Certainly where the member's call for leadership is concerned, I've been clear, as has our caucus here, what it is that we would do, given an opportunity to be government, in front of some of the circumstances that we see affecting some of our most vulnerable and at-risk citizens and that they have to deal with.

My concern is that the tribunal we've set in place here to be the court of last resort for people who have been turned down or told that they don't qualify, be as balanced and fair as is absolutely possible. I guess I'm looking for somebody, first of all, who has some experience, knowledge, background and understanding of what the issues are or might be, who understands the policies within which decisions are going to be made where this tribunal is concerned. I also want to know what their political leanings are, if they support the agenda of a particular government like your own, like the one that's in place here in Ontario right now, and where they've indicated they want to go over the last eight years in this province and, from all that I hear, intend to continue to go.

The minister is on the record in the last couple of days as saying, "We have no intention of reviewing the circumstances within which some of our most vulnerable and at-risk citizens have to live," absolutely no intention of revisiting the clawback of the child tax benefit supplement; no intention of revisiting the benefit level of people on ODSP in this province; and no intention of revisiting the overall framework within which very vulnerable and at-risk people have to live in this province—absolutely no intention. So if there's no intention to review those things, I think it's really important that we consider very carefully, in all good conscience, all appointments to these tribunals.

It is my judgment this morning from the questions and the answers that were put by both the official opposition and myself that this person doesn't leave me the level of comfort that I would need to actually support his appointment. It concerns me if members across the way are willing to support this appointment and in that way participate in the obvious direction of the minister of this government now responsible for community, family and children's services.

When we get a report like we did two days ago that one in six children in this, the richest city in the country, is still living in poverty, we've got a problem that we're not addressing, that we're not taking seriously. To put them further at risk by appointing people to tribunals that will make decisions about the levels of support and income they might expect who don't have any obvious background or understanding or experience in it, who obviously support the political agenda of the party in power—we know where they've been over the last eight years and where they're going—I think it would be irresponsible of us, and you, to make that appointment.

Mrs Dombrowsky: The public record of this committee will certainly demonstrate that I have always been able to support candidates who bring to their intended role a keen interest in the area they will be appointed in, or at the very least some significant community involvement, an understanding of the process to which they will be appointed. This is a quasi-judicial body, and my disappointment was when this appointee was asked, "How is it you've come to be here?" "Well, I just wanted a job. I just wanted an appointment of some

sort." It wasn't indicated, "This is an area I have always had an interest in. This is an area I've had some experience with."

Further to that, I was not satisfied that there was a real understanding or appreciation of the many issues that impact the families, the individuals, who will be coming before the tribunal for adjudication. I need to be very certain that when people are appointed to quasi-judicial roles, regardless of their political background—and I think the record will also show that I've been able to support people from all political backgrounds, that it's more important for me to understand that there's a real commitment and understanding of the issues they will be facing. In this case, I certainly was not satisfied this morning that the individual was especially interested in social issues or that he was even clear on many of the issues out there that will be coming to him. So I will not be able to support this intended appointee this morning.

Mr Mazzilli: I will acknowledge that over the last couple of meetings of this committee we have been able to vote in a reasonable manner on people coming before us, and it's not always 4-3. So that has changed, but that's not the way it's always been.

I will be very clear in a matter that I disqualified myself from. When we talk about qualified people, there was a person who came before this committee with a master's in social work who was being appointed to the Ontario Rental Housing Tribunal, with 18 years in the civil service on social issues, housing and everything else. And we talk about people not having the qualifications? That was a 4-3 vote. Without getting into it, often many qualified people come here and are badgered to the point where they wonder why they came here.

I think this committee has an important role. If it's an oversight body, like a police service or a health unit, then we have to make sure those people have a keen interest in their communities, have a keen interest in those fields. If it's an adjudicative body, quasi-judicial, we have to ensure that they have the skill sets to do those jobs and to go by the legislation that you and I pass in this building. In fact, you don't want people appointed to go outside the legislation.

Anyway, without delaying this any further, Mr Chair, I turn the floor back to you.

The Chair: Any further comment before we vote?

Mr Martin: I'm just wondering if the person Mr Mazzilli is speaking of, about whom he disqualified himself in terms of his participation that morning—was that your sister-in-law whom we were appointing here that day?

Mr Mazzilli: That would be correct.

Mr Martin: OK. Thank you very much.

The Chair: Mr Crozier, you had a comment?

Mr Crozier: Just an additional comment to what has been said this morning. It's interesting to revisit this committee, which I sat on for a number of years. When someone is making a job application for what, in his own words, was a career change, he might expect some tough questions, like any job applicant.

The Chair: Any further comments?

Mr Martin: Recorded vote.

The Chair: Mr Martin is requesting a recorded vote. The motion by Mr Wood was that the committee concur in the intended appointment as a member of the Social Benefits Tribunal of Mr Glen R. Camelford.

Ayes

Johnson, Mazzilli, Wettlaufer, Wood.

Nays

Crozier, Dombrowsky, Martin.

The Chair: The motion is carried.
There being no further business, I will entertain a motion of adjournment.

Mr Wood: So moved.

The Chair: Mr Wood has moved a motion of adjournment. All in favour? Opposed. The motion is carried. Thank you.

The committee adjourned at 1041.

CONTENTS

Wednesday 27 November 2002

Intended appointments	A-159
Mr Glen Camelford	A-159

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Wayne Wettlaufer (Kitchener Centre / -Centre PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Bruce Crozier (Essex L)

Clerk / Greffière

Ms Anne Stokes

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

CA20N
XC19
-652

Government
Publications



A-12

A-12

ISSN 1180-4335

Legislative Assembly of Ontario

Third Session, 37th Parliament

Assemblée législative de l'Ontario

Troisième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 4 December 2002

Journal des débats (Hansard)

Mercredi 4 décembre 2002

Standing committee on
government agencies

Intended Appointments

Comité permanent des
organismes gouvernementaux

Nominations prévues



Chair: James J. Bradley
Clerk: Anne Stokes

Président : James J. Bradley
Greffière : Anne Stokes

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 4 December 2002

Mercredi 4 décembre 2002

The committee met at 1003 in room 151.

The Chair (Mr James J. Bradley): I'm going to call the meeting to order because we're after 10 and I think others will come in. I'll try to accommodate all necessary parties here today.

SUBCOMMITTEE REPORT

The Chair: There's a subcommittee report on committee business dated Thursday, November 28, 2002.

Mr Bob Wood (London West): I move its adoption.

The Chair: Mr Wood has moved adoption of the subcommittee report of Thursday, November 28, 2002. All in favour? Opposed? Motion carried.

We will have a situation where we have one other person who is lingering out there—"lingering" is probably the wrong word—to be considered by the committee. The person is not available for next week. We may need an extension, so I just want to alert the committee to that, and we'll talk about that at the conclusion, if we can, of our intended appointees today.

Mr Wood: As a matter of interest, that person being whom?

The Chair: James Crossland, intended appointee to Cancer Care Ontario.

Mr Wood: An extension of time?

The Chair: We're talking about an extension of time. He was just selected last week, but he's not available.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Is it two weeks that we extend?

Mr Wood: It all depends. When is he available? Since we're on this topic, how much time is needed?

Clerk of the Committee (Ms Anne Stokes): The 30-day deadline would be December 22.

Mr Wood: I'd ask for unanimous consent that the time for consideration be extended 30 days.

The Chair: All those in favour? Carried.

INTENDED APPOINTMENTS

FRANK SCARPINO

Review of intended appointment, selected by official opposition party: Frank Scarpino, intended appointee as member, Smart Systems for Health Agency board of directors.

The Chair: We now go to the appointments review, Mr Frank Scarpino, intended appointee as member, Smart Systems for Health Agency board of directors. Sir, you may come forward. As you probably realize, you have the opportunity to make an initial statement if you see fit. Subsequent to that, there will be questions from any members of the committee who wish to question you within the time limits that we have. Welcome, sir.

Mr Frank Scarpino: Good morning, Mr Chairman and the other distinguished committee members. First I'd like to thank you for the opportunity to meet with you and the chance to provide some opening remarks this morning. I am extremely honoured, proud and excited to be here today. Hopefully, you will truly understand why by the end of today's session.

I understand you have my resumé, so I will not go into any details of my positions in the health care information technology industry over the last 20 years or my education. I will leave it with you for questions during your period. However, I would like to highlight my varied experiences in virtually every area of IT and health care over that 20 years.

In order to best understand myself and what I would bring to the board of the Smart Systems for Health Agency, I would like to quickly note some experiences that relate and lead to my personal mission and vision.

In 1995-96, I was providing an IT leadership role in a regional consortium of hospitals known as Westcare. I became frustrated with the lack of direction and standards from larger bodies in regard to IT in health care. I realized that if people with experience like mine did not step forward, the necessary advancements would not happen.

My first approach was to become actively involved in the Ontario Hospital Management Information Systems Association, known as OHMISA. The organization was historically made up of directors of information systems in hospitals. It has since grown to include a balance of information systems people in health care organizations and people from the respective vendor community.

In April 1996, I became president of OHMISA. Many of our members were also members of the organization known as COACH, which is the Canadian Organization for the Advancement of Computers in Health, of which I am also a long-standing member. I believed the IT industry in Ontario would benefit from a larger pool of resources by becoming more actively involved with the

international organization known as Healthcare Information and Management Systems Society, for which the acronym is HIMSS. I, as president, and the OHMISA executive worked hard and actively and became the first Canadian chapter of HIMSS, to bring the international background to our group.

Near the end of 1998, I was looking for a change and decided to become an independent consultant. I was successful in my first year and saw the value that my experience and people like me could bring to the health care industry.

Also, I had been dealing with a difficult period in my personal life for several years. I began to do some significant personal reflecting. I realized that I had been wasting time and energy. I concluded that I really had very little to show for my time here on earth. We do not take material items with us when we depart, but hopefully we get a chance to leave with the comfort of knowing we've left behind achievements toward the advancement of humankind. I began to realize that the path of my career had placed me in an incredibly opportune situation. The basis of my mission became the acknowledgement that every individual can make a difference in their life. It is as simple as how you handle day-to-day interactions with individuals. I looked for the biggest impact that I could make with the little time I had left. It became very clear that I had the opportunity and the responsibility to use my experience to help an industry of caring people help even more people than I could do as an individual.

The Smart Systems for Health focus on infrastructure is a key building block needed as a base to build upon. It will be successful when this infrastructure is seen as a utility in providing trusted service similar to the phone systems of today.

The utilization of the Internet reminds me of a time when Canadians were leaders in the transportation field. Canada was a successful early implementer and user of transportation due to the need to travel across a vast country. We have the opportunity to utilize the new technology to bring the country together again through the health care system's utilization of the Internet. The technology is there; we need to do the legwork to utilize it for the great benefits that it has. To me, the work is in the coordination and collaboration, from understanding all stakeholders' needs to implementing usable solutions. Imagine a model achieved through working together to achieve this outcome and the potential it has to go beyond borders.

1010

I came to realize that in order to achieve my mission and my own vision, no individual, no health care organization, no software provider, no government and so on can do it alone. We must figure out how to move as quickly as possible to achieve the effectiveness and efficiencies required by the public of the health care industry. We are dealing with a complex industry, but one thing is constant that we must keep in mind: the people, the stakeholders, are most important. They must be valued, respected and utilized.

If you are interested and if it is appropriate, I have brought some flyers describing my own business and our business with the intent of emphasizing my sincerity in making that difference.

Simply being here today gives me a sense of accomplishment that the sincerity of my own mission and vision is truly being heard and seen in my work. I feel blessed to be in a position to be able to see the potential, but also realize the complexity of the health care industry. There is a great deal to do but not a lot of time to get it done.

I would like to conclude by giving my personal assurance that I will bring my commitment to making a positive difference to all stakeholders involved, beginning with the patients, their families, physicians, other health care providers and so on.

I'll conclude with that brief summary. Thank you once again for this opportunity. I welcome any questions you may have and I'll try my best to answer them.

The Chair: Thank you very much. We will begin our questioning with the third party.

Mr Tony Martin (Sault Ste Marie): Thanks for coming this morning. I'm interested in your take on the Romanow commission, the recommendations. What was the highlight for you in that report?

Mr Scarpino: One thing I'll admit right off the bat is that I haven't had a chance to review it in detail. I was away on vacation when it got released. In quickly scanning, a couple of things stuck out that I want to pursue myself. One is that it seemed to be a positive take from the public and he seems to really understand where the public is coming from and the needs of the public. But just last night, in quick-searching on the Internet, I saw some headlines about Kirby, not using the word thrashing, but my quick impression was that he was thrashing the Romanow report. I haven't had a chance to go into the detail of why there is the difference in the players. Those two things stuck out for me quickly on getting back from vacation.

Mr Martin: Kirby's critique was that Romanow didn't identify where the money would come from, and he was also critical of Romanow's stand on the issue of publicly funded, publicly delivered, that the private sector has not been proven anywhere to be any more efficient or cost-effective. What would your view on that be, in terms of private sector involvement in health care in the province?

Mr Scarpino: I've got to admit it's a very difficult question and I'm sure that's why it's been a great difficulty for quite a while. When I think about it, I really go down to the bottom line: the health care industry has many stakeholders. When you look from my experience of IT in health care, really the vendor community is part of the stakeholders. We rely on them quite a bit from the standpoint of technology and health care and working together with them, and them understanding the needs and therefore the ability for their research and development to put together the solutions for health care.

That's one perspective, but from the standpoint of the private sector, I believe there's got to be a line drawn,

and not having too much say in the health care system itself. It's a very difficult line to find and I'm sure that's what all the discussion is about: where is that line going to be drawn? I'd have a difficult time if they were too involved and if they had too much say and it took away from us as Canadians the chance to have health care provision as, virtually, a right of our country.

It's a tough discussion and I'm sure part of the board of Smart Systems will be part of that in some way, but also from the vendor community being cautious of how much and where they're involved with the system and so forth.

Mr Martin: There was also some significant emphasis in Romanow on more centralized information, on use of the computer to share information between institutions and doctors in order to create more efficiencies and to streamline the system, to make it work faster and perhaps make it more cost-effective. Would that be an important part of the work that you see needing to be done in this new agency, as it gets itself up and running?

Mr Scarpino: That's the sensitivity to the information?

Mr Martin: Just the emphasis in Romanow on governments getting serious about better technology in terms of sharing information.

Mr Scarpino: I guess that for me the easiest way to answer that is through an example. Over the last several years, I've been involved with the health care system through family members. From my perspective, especially being in the industry of information technology and knowing the benefits it can bring, I've been quite frustrated with the number of times I have had to provide the same information to the multiple organizations that I take my son to or that my dad was part of in dealing with the health care system.

Even today, that's part of my motivator, specifically in my father's situation. He was saved at a hospital through an MI in terms of a heart attack. He was found to have an allergy. But now, through regionalization, the cardiac specialty centre is no longer at that hospital which is closest to his home. It's at another hospital. Today my concern, and I believe it's very valid, is that if he had a heart attack and an ambulance picked him up, he would easily be at that regional cardiac centre without the information about his allergy, and it's a significant allergy, that could save his life.

To me, the technology is there. It's available today. It can make a difference in reducing duplication of effort, of getting information quicker. It has to be done in a way, though, that allows for security and confidentiality and dealing with that in parallel. I really believe that technology can do things in moving away from silos and moving closer to integrated health care.

I reviewed Romanow's report from this spring to have a flavour of what he was going to come out with, and I saw his discussion of the silos and the importance of technology and information management to bring the integrated delivery closer. I really believe that's a role and an area to pursue.

Mr Martin: In northern Ontario, we're concerned, and in rural Ontario too: it is the concern that we may not get all the resources we need to look after the folks who live in that part of the province. There were many announcements made over the last few years, as we struggled in the north to get doctors and specialists into various and sundry communities, that through technology we were going to be able to resolve that and connect hospitals with teaching hospitals and centres in southern Ontario where the information is.

It really hasn't done the trick. It probably has taken us a distance to having more information at hand quicker, but it hasn't reduced the waiting lists and the time it takes to get response or result. It hasn't supplied us with any more physicians and specialists in our regions.

What do you think you can bring to the smart health systems project that will help us in far-flung parts of the province without removing the hands-on, face-to-face, interaction we need with doctors and specialists in our communities? How do you think that would interface or interconnect?

Mr Scarpino: Again a very complex issue, as you know. There are different angles to it. The current movement with Telehealth and the telenorth technology and the group based partly from Sunnybrook to provide those services remotely was a very good start. They received more funding to expand that access throughout the north. I was very happy to hear that in terms of patient care getting some more attention that way. It's a start.

1020

Part of the scenario gets back to the starting of even my business and structure. It's not for the business's sake; it's really for patient care for all stakeholders, as I mentioned. It's tapping into what I believe is a new culture, a new way of living. That new way of living is, people are looking for more autonomy in their lives, from the IT specialty area of contractors and so forth, even the physicians, practitioners and clinicians. They really are very hard workers and they put in a lot of time and they're dedicated to their business.

I believe technology can help them in their lives by providing information quicker, by making it so they can, for example, physicians or radiology physicians who are on call, as opposed to having to run into a hospital to see an image, an infrastructure like Smart Systems and bringing technology, will give them more autonomy, better lives and hopefully start to open up the realization that they don't necessarily have to be located in the big city. That might be a choice, but I believe it will start to go away more and more, and they can start having more autonomy and having more options of where they can live and enjoy—I have a cottage I go to, a little bit north; it's beautiful country up there—and hopefully through technology we'll show these practitioners and physicians that there is good opportunity, and still provide direct care and be up in these areas. I believe that's coming. We need to build on things like the Smart Systems for Health infrastructure to help bring forward.

The Chair: That concludes your questions. We now move to the government caucus.

Mr Wayne Wettlaufer (Kitchener Centre): Mr Scarpino, welcome to the committee this morning. You seem to share my enthusiasm for the advances technology has made and what it can do for the benefit of the patients. I don't know if you're aware of the government's e-government committee, the study that we're doing on modernizing e-government.

Mr Scarpino: Just a little bit from the readings.

Mr Wettlaufer: I'm an advocate of biometrics. I don't know how the people opposite feel about this. My concern has always been in the gathering of any information that it be absolutely 100% secure. I realize that anything can be violated, but I believe biometrics comes as close to 100% security as you can get.

I was a little bit flabbergasted, I believe it was a year ago, when the federal Privacy Commissioner, George Radwanski, came out strongly opposed to the gathering of information and accessing it by biometrics.

The Ontario Hospital Association's information and communication technology advisory committee published last year a study of IT. It was called Building the Foundation for e-Health in Ontario: A Pathway to Improved Health Outcomes. It endorsed our decision to proceed with Smart Systems for Health care. It said, "The ability of health care providers to achieve greater efficiencies system-wide is impeded by the lack of a secure health information network...."

"We strongly recommend that the government create an independent agency to implement Smart Systems for Health and that the board of directors include representation from hospitals, other health care providers, researchers, the private sector and government."

They also recommended that it "be independent from bureaucratic red tape." I can sympathize with that.

I was wondering if you have any comments on the role of the agency itself, and biometrics.

Mr Scarpino: Maybe one comment, quick off the bat. I've been quite involved with the OHA and the e-health council and really support that group and their initiative. I know the OHA and Smart Systems are at the table working together. I'm very much supportive of that document and their approach.

Biometrics as a solution, I believe, is one of the best for health care, if not the best. I answer at times with maybe too many examples, but one example: in looking at a card type solution, when you move, as an individual, you become reliant on the technology at the place you're going to be able to read that card. It especially becomes a bigger issue as you start crossing international boundaries and borders. I really have seen and pursued that and seen the inadequacies of that kind of solution. Everything seems to come pointing back to the person and that person's characteristics being utilized to provide security, and the availability to get to their information.

So I believe biometrics is, if not the, one of the most significant approaches we should be looking at to see how it can be utilized within the identification of the patient and then the access to information, the granting of that access. Obviously, it becomes very complex as you

start asking the questions further but I believe biometrics is, again, if not the, one of the most significant security technologies we should be looking at, from the hand scanning to the retina scanning and so forth.

Mr Wettlaufer: What about the new agency, the smart health agency? How do you feel about that?

Mr Scarpino: I didn't reference it, but when I was president of OHMISA, the OHMISA organization, members of the executive included the Ontario Hospital Association and it included, at that time, the project management office of the Ministry of Health and Long-Term Care, which became the Smart Systems for Health—it evolved to that group. I've been involved and aware of it for some time. It was at that time when I was really realizing and wanting to make a difference and looking at the size of this industry.

The bottom line is, we need to be moving forward. The Smart Systems for Health is an excellent start. It's an opportunity for us to work together and deal with these issues, deal with security, deal with data access, availability. There are a lot of things we could be doing in parallel. I really believe the Smart Systems for Health Agency has good people involved, is a good infrastructure to get us moving forward, get the questions addressed, make that difference and start pursuing it.

The Chair: Thank you very much. We now move to the official opposition. Mrs Dombrowsky.

Mrs Dombrowsky: I do have a few questions, and I know that my colleague Mr Gravelle does as well. When I review your background, obviously you have some extensive experience in the field of technology. Part of the responsibility of your role on this board would be to explore and to provide recommendations around how the government might engage this technology to provide an e-health network. While I can't profess to be an expert in this field, I would only guess that it might be possible that the company of which you are now president might be interested in providing some of these services. Would that be correct?

Mr Scarpino: Good question. Not directly.

Mrs Dombrowsky: Not directly.

Mr Scarpino: No, and why I say that: the structure of the company—and again I don't know if the flyers are appropriate to give you—the form of the company, we've called it a hub organization. Really, it's an organization to coordinate amongst the players. It's bringing, what I believe, in looking at it over the years, that missing link. I believe that missing link is: bringing the players together, a group who has experience in this industry to understand all the players and be able to relate in the middle and coordinate. That's really what we do.

We have not pursued work with Smart Systems for Health; we do not work for Smart Systems for Health. We are really linking as that hub. So we have multiple customers—some of our work is actually liaising with Smart Systems for Health to implement the connectivity for those customers. But we, purposely, are not pursuing that.

Mrs Dombrowsky: So you would not see that at one point in the future, in your role as a member of the Smart Systems for Health Agency board of directors, that you would be in a position of conflict should it be in a position to consider engaging a company like yours for service?

Mr Scarpino: No, not at all.

Mrs Dombrowsky: In your background, obviously you have an interest in this field. How is it that you've come to be an intended appointee here? Is this a role that you sought out? Did someone come to you and suggest that because of your background in this area you might indeed be a very good candidate for this role? How is it that you have arrived here this morning?

Mr Scarpino: I'm glad you asked that because part of me doesn't know for sure.

Mrs Dombrowsky: Oh.

Mr Scarpino: I got a call, and it gets back to why, in my opening remarks, I referenced that I am working out there. I am pushing this mission that I have. I am talking about it a lot. I have customers and, hopefully, somehow, it got around. I got a call.

1030

Mrs Dombrowsky: You got a call from whom?

Mr Scarpino: From the group that's organizing this. I've got different people over time who I've been talking to, but I think it's—

Mrs Dombrowsky: Is it someone from the Ministry of Health?

Mr Scarpino: Yes, I believe so, from Tony Clement's office. I think that's where it was from.

Mrs Dombrowsky: I see. It's someone you knew whom you had connected with previously and had indicated a particular interest in serving in a role like this?

Mr Scarpino: No.

Mrs Dombrowsky: I see. OK.

Mr Michael Gravelle (Thunder Bay-Superior North): Good morning, Mr Scarpino. I appreciated the comments you made in your opening remarks and the sincerity you showed in how you wanted to make a contribution and reflecting on your life, as I think many of us do. Certainly this is an area where I think there probably needs that kind of sensitivity.

At least one of the goals of the Smart Systems for Health Agency is to compile in some electronic fashion patient records that can be downloaded, I guess, by a variety of people. But there's no question that one of the things that brings forward very much is the issue of privacy. One of the things that concerns me, members of the opposition, I think, and probably government members as well is that even this agency has been basically put together by regulation. We haven't seen legislation related to this and we're worried about privacy legislation.

One of the things that ties into that is the issue of a smart card. I'd love to get your thoughts on a smart card. Do you view that as being one of the goals of this

agency, to move in the direction of a smart card for Ontario residents?

Mr Scarpino: There are two parts, I guess, to your question. One is the privacy angle to things. The bottom line is, yes, it definitely is an issue that we need to resolve and clearly deal with as we progress. That shouldn't stop us, though, from moving with the component of infrastructure. Infrastructure is based on industry standards and has strong security in itself, but before patient-identifiable data is transferred over that, we need to make sure it's meeting appropriate guidelines, regulations and so forth. I believe that at some point they'll converge before that identifiable data is actually coming over the network to make sure it's being protected, private and so forth.

In terms of the smart card, I guess it gets back a little bit to the biometrics question. This smart card will be limited. It will have information on it, but in and of itself it already starts security issues: you lose your card, somebody picks it up in our area who has the technology to read it by quickly throwing it on a reader device that would be easy to start to pick up—maybe not right off the bat, if the security is strong on there, but there's the start of the security question.

The other component is the identifier of the patient themselves in terms of making that a unique patient, person or client, however it ends up being finalized and called. That identifier is really the key to opening up where the information therefore is, and so forth.

Another part of it is, yes, in pursuing a smart card, chip-based-type technology—I pursued it several years back and it became limiting in where it could be used. We could develop a provincial system where you could use it, but if the other provinces, from a Canadian standpoint, don't necessarily use the same technology, it virtually becomes useless if they don't have the same readers and so forth, or the same standards. We could pursue it through the Canada Health Infoway Inc group, for example, which is another excellent initiative. Maybe through coordination with those groups, which also the OHA e-Health group is very much talking to, we can achieve it, even federally. But then you're going to hit that border limit again, and we've got a lot of Canadians who enjoy the south over the winter. If they've got that card with them, how are we going to assure them that the international standards bodies are following it? Even just thinking of that smart card itself, it has its limitations. It needs to be looked at. I really don't think it's going to be the solution, but I'm open to listening and seeing the options and where it goes.

Mr Gravelle: Certainly the privacy issue is one that I think all of us have good reason to focus on to some degree. You are an expert. Clearly your resumé is most impressive in terms of your knowledge. I am by no means remotely close to that myself, but I would think that you would be in a position to be able to help us ensure some of that privacy.

You spoke about moving down the infrastructure road, almost suggesting that we shouldn't be as concerned with

the privacy issue at the beginning. That concerns me, I suppose. It seems to me that we need to be dealing with that issue up front, which is another reason why I think the government's inability to bring forward legislation—or reluctance is probably more accurate, because we were expecting legislation relating to privacy in terms of our health records I think a couple of years ago and it hasn't come forward. I guess it concerns you somewhat because you suggest, "Let's move down the road and then we'll get to the privacy issues."

Is it fair to ask you, because of your great knowledge of how information technology works and your references to the Internet and all the stuff that goes with this, could you find ways to ensure that privacy becomes an issue you deal with before you go down that road? Can it be done that way? One, do you think it should be done—I do—and, two, can it be a priority? I just don't know how this can go forward unless we're able to resolve that issue.

Mr Scarpino: Definitely it is a priority. There is a point where you cannot move with technology any further for the user's needs until it gets dealt with.

Mr Gravelle: Are we there now, though?

Mr Scarpino: In terms of the province?

Mr Gravelle: Yes.

Mr Scarpino: No, I believe there is more that can be done while the legislation is being reviewed and so forth to get us moving with an infrastructure. The design of infrastructures and networking technologies, emphasizing their openness in terms of standards that they follow, all of that can get moving and be put in place without virtually, in one way, any patient-identifiable data at all going over that. The province is large. There are a lot of complexities in doing those installs. There are complexities in achieving support for those installs. There's a whole infrastructure—no pun intended—there's a whole environment that needs to be put in place, massaged. I'd rather have that ready and in place so that when the legislation for security, privacy, confidentiality and so forth is there, that infrastructure will be able to adapt to it. There's no doubt.

Mr Gravelle: But don't you think it would be helpful to have that legislation in place in advance, to understand what the limitations, the restrictions, the guidelines would be? Would it not be useful from your perspective as well to know where you're working from in terms of where you're trying to go? Obviously, you're trying to set up a system that I would hope would protect people in terms of their privacy, but wouldn't it be useful to have it in advance?

Mr Scarpino: At this point in time, given how much of the infrastructure still needs to get going to catch up in terms of being ready, I believe we have a lot of information from the privacy and confidentiality arena that helps us already, that gives us enough to get going and an infrastructure that will be able to be adapted to wherever the final legislation heads.

Privacy and confidentiality have been in discussion for several years now. There are the HIPAA legislations in

the US that provide excellent even further information and knowledge about what are the standards to develop and how to protect privacy and confidentiality. So there is a lot of excellent information out there already, the draft legislation that has been brought forward and the current version. It's not going to deviate a lot, I believe, from what has already been discussed and said, to the point that it will really put to the Smart Systems for Health Agency or the infrastructure they're putting in place to really deteriorate that or say to stop or so forth. Again, I believe both can move very much in parallel, because the infrastructure is based on industry standards and those same standards are in place in hospitals today. They use the same type of standards at a certain level of infrastructure. Even hospitals wouldn't then start to utilize that infrastructure until they had policies in place for security and confidentiality, which they do. So there was a convergence at a time, to say, "OK, there's a lot of work to do," a couple of years of getting even hospital infrastructure ready. Before we start using patient data on it, they run parallel to put their policies and procedures in place to deal with that and then they converge.

The Chair: Just when you were getting all wound up—

Mr Gravelle: I was getting warm.

The Chair: —time is up. Thank you very much for being with us. You may step down, and we'll move to our next intended appointee.

1040

CRAIG DELLANDREA

Review of intended appointment, selected by the official opposition: Craig Dellandrea, intended appointee as member, Board of Management for the District of Nipissing East.

The Chair: Our next intended appointee is Craig Dellandrea, intended appointee as member, Board of Management for the District of Nipissing East. Welcome to the committee, sir. I think you are aware that you have an opportunity to make an initial statement if you choose to do so. Subsequent to that, there will be questions from any members of the committee who choose to ask questions within the time limits set by the rules of the committee.

Mr Craig Dellandrea: Good morning, Mr Chairman and members of the committee. Thank you for the opportunity to appear before you today. I'd like to tell you a little about myself and why I might be suitable to serve on the board of management for homes for the aged and rest homes in Nipissing East, better known as Cassellholme.

I was born and raised in North Bay and I've lived there all my life except for four years of university in Waterloo, where I obtained a degree in business administration in 1992. Since then I have been employed for more than nine years in the foodservice industry in the private sector. Currently, I am a marketing specialist

for Internet business for SYSCO SERCA Foodservices. This is my fourth position with that company.

Since my return to North Bay after university, I have been involved with various volunteer organizations. I have served as a board member, and now as treasurer, of Camp Aush-Bik-Koong, a children's summer camp, for six years. I have served as the community representative on the Widdifield Secondary School parent council. As well, I am very active politically and in the church in which I grew up.

I initially was not seeking to add to my commitments. However, with a new position at work and a re-configuration of some of my extracurricular activities, I find myself able to take on some added responsibilities. When the invitation came to serve on the board of Cassellholme, I agreed.

I believe I have some sensitivity for the situation of those who aren't in the prime of life or can't take care of themselves. My mother and father are 75 and 80, respectively, and my sister suffers from a severe developmental handicap.

I believe those who are well and wealthy have an obligation to care for those who are neither, and this represents one way that I can serve this constituency.

Having spoken with two current members of the board of management, they both indicated that Cassellholme is a solid institution with no major issues facing it, where the tone of the board is collegial and co-operative and where people of many different backgrounds work together to ensure that the best possible care and concern is shown for the residents. I believe I could work with and be an asset to such a board and, with your consent, I hope to serve the clients at Cassellholme with both a sense of compassion and managerial common sense.

Thank you for your patience and I'll do my best to answer your questions.

The Chair: We begin our questioning with members of the government caucus.

Mr Wood: We'll waive our time.

The Chair: The government caucus has waived its time so we move to the official opposition.

Mrs Dombrowsky: Thank you very much for coming this morning and for your opening remarks. There were a couple of things that you referenced in your remarks that I would like to pursue.

You indicated that you had received an invitation to serve on the Board of Management for the District of Nipissing East. Maybe you could explain that invitation, please.

Mr Dellandrea: Sure. I don't have to go out and find work; work usually finds me. I received a call from my local member of provincial Parliament's office.

Mrs Dombrowsky: That would be?

Mr Dellandrea: AL McDonald. He asked if I would agree to serve on this board. I investigated a little bit and spoke with another board member about the board and indicated to Mr McDonald that, yes, I'd be willing to serve.

Mrs Dombrowsky: Also in your opening remarks you indicated that you had been active and involved politically. Would you like to explain that for us, please?

Mr Dellandrea: Sure. I am the current president of the constituency association for the Canadian Alliance federally and I am a member of the provincial PC party.

Mrs Dombrowsky: OK, I appreciate that as well.

Perhaps I could just ask you a few questions with regard to the role to which you are intended to be appointed as a member of a board that oversees the management of Cassellholme. In the background material you probably had an opportunity to review some of the features that can and may exist in a home for the aged. There was an explanation about a residents' council. Do you know if a residents' council is in place at Cassellholme?

Mr Dellandrea: No, I don't.

Mrs Dombrowsky: But you are familiar with the role of a residents' council?

Mr Dellandrea: Yes.

Mrs Dombrowsky: I'm sure you, again, have had the opportunity to review the background. You are familiar with the report from PricewaterhouseCoopers and its findings with respect to care facilities in the province of Ontario, the fact that in Ontario's long-term-care facilities, typically residents receive fewer nursing and therapy services than similar residents in similar jurisdictions. Ontario's long-term-care facilities offered the lowest level of nursing services of any of the jurisdictions surveyed, at 2.04 hours of nursing care per day. Do you have a comment about that?

Mr Dellandrea: Just that I don't know what the level is in terms of hours at Cassellholme specifically. I understand that there used to be a regulation requiring a set number of hours and that this was removed. As to whether there should be a level regulated or legislated, I would just say that I think the nurses are the best judge of the care that the person's needing.

Mrs Dombrowsky: I would never question that. Do you think there should be a regulated standard of care for residents in nursing homes and homes for the aged?

Mr Dellandrea: In terms of the specific issue of hours of nursing care—

Mrs Dombrowsky: Nursing care.

Mr Dellandrea: —I think the obligation of the board of management in the various homes is to ensure that the residents get the care they need. Other devices, such as the residents' council, serve as a check to make sure the residents are getting the care they need—

Mrs Dombrowsky: Do you think the board would benefit from a provincially regulated standard of care?

Mr Dellandrea: I guess it would make the board members' job easier in that instead of us having to determine if sufficient care was being achieved at a particular home, we could simply point to a regulation.

The Chair: Mr Gravelle?

Mr Gravelle: Mr Dellandrea, I want to ask you something which may not actually be relevant, but I just

thought about it when I saw your resumé. You work for SERCA Foodservices.

Mr Dellandrea: Yes.

Mr Gravelle: Do they provide food to Cassellholme?

Mr Dellandrea: Yes, we do. You're asking if that's a potential conflict of interest.

Mr Gravelle: Yes.

Mr Dellandrea: Yes, and that could be a conflict of interest.

Mr Gravelle: It seems like kind of a direct conflict of interest to me.

Mr Dellandrea: Certainly on some issues. So I would have to obviously—

Mr Gravelle: I'm sorry?

Mr Dellandrea: I would obviously have to remove myself from those decisions or from those meetings concerning—

Mr Gravelle: It just strikes me as peculiar, Mr Chair, that somebody who was being appointed to a board of management for a home for the aged who works for a company that provides that service—it really does seem like something we should actually be talking about more seriously. It seems like an odd position. You say you would exempt yourself. I mean, the long and the short is, you've got a business relationship through your work with the home for the aged for which you're now supposed to be advocating on their behalf. It just seems to me to be an odd situation to be getting in. I quite frankly expected you to say, "No, we don't do that," because it strikes me as really a very direct conflict.

Mr Dellandrea: Yes. Well, I mean—

Mr Gravelle: And you've acknowledged that it may be, which is pretty close to saying it is.

Mr Dellandrea: Yes, well, it is. I wouldn't say it's tenuous. My position at work doesn't benefit from us doing business with Cassellholme. We do business with Cassellholme sometimes, and sometimes we don't. We hadn't really been doing any business up until about September of this year. So I think perhaps one of the reasons I was recommended for this position was because the person was aware of my food service experience and they realized this is a component of the budget at Cassellholme.

Mr Gravelle: There are many other questions I want to ask you, but I think I need to stay on this. Even you acknowledge that you have a business relationship, that you provide the food. It just seems like an odd appointment to make, quite simply, to have you in a position where somebody who has that kind of influence is a member of the board.

1050

Obviously we would hope you would be on the board to advocate for greater care for those people who are residing in a home for the aged. I have some concerns about your commitment to that as well, because I think there are so many things we should be talking about in terms of particularly this government's approach and your invitation by Mr McDonald. Some of your comments so far don't suggest that's a real priority. I'm

not sure how much more we can stay on this particular issue but it just seems to me that it's worth exploring. Is it a conflict? If it is a conflict, it seems to me, in terms of your work for—I'm sorry, I forgot the name of the company.

Mr Dellandrea: SERCA.

Mr Gravelle: If that is a conflict, perhaps your appointment shouldn't be going forward. I don't know how we get a ruling on that. Mr Wood, I don't know whether you want to comment on that. It seems to me to be a problem, and you acknowledge that it may be.

Mr Dellandrea: I wouldn't be involved in decisions with regard to purchasing food. I couldn't be. I admit that. I indicated that whenever somebody asked me about—

Mr Gravelle: We always acknowledge, though, that perception is extremely important. Again, a board of management of a home for the aged, it's just vital—and I don't think anybody would argue with this—that you have the ability to comment, including residents. I'm sure SERCA is fabulous, but you might have residents sometimes complain about the quality of food, and justifiably so at times. I just think, there we are, in a difficult position.

Mrs Dombrowsky: If I could just pick up on that as well—not only on contracts that would involve your particular company, but you would potentially be considering contracts or engaging services with other businesses in your community that SERCA also provides services for. The connections that you have in the community are significant. Some of your customers or clients might expect, because they are customers of yours, that you would want to speak on their behalf favourably at this board of management. I think Mr Gravelle is raising a very valid point.

We have serious concerns about appointing folks who may be viewed within the community as having not only direct conflicts but indirect conflicts as well.

The Chair: Your time is up, unless you have a response, sir.

Mr Dellandrea: No.

The Chair: OK. I move then to the third party.

Mr Martin: I just want to follow up on that. This is a very serious concern that has been raised: the fact that you do provide food services to Cassellholme. As you suggested yourself, perhaps the thinking behind your appointment was so that you could provide advice in terms of how food services might be provided. You could not participate in that kind of discussion and not be in conflict.

In my view, you've got conflict all over the place here. I think that in itself should indicate both to you and the members of the government on this panel that this is not an appropriate appointment. You've indicated in your conversation with us that you don't go looking for work; work comes looking for you. There have to be other opportunities for you to serve in your community in a capacity where there isn't such an obvious conflict of interest.

Mr Dellandrea: This is where I was asked to serve. I just don't want this conflict issue to be overplayed. SERCA is a big company, especially in terms of where it's located, which is Sturgeon Falls. There are about 110 employees. In my role, I don't benefit. I'm not a commissioned sales rep, so I don't benefit from whether or not Cassellholme buys their food from SERCA. However, like I said, I recognize that some people have an issue with it, so when those purchasing decisions have to be made, obviously, I would have to remove myself from them.

SERCA is where I work and this is the board on which I was invited to serve. I guess it will be up to the judgment of the members if they feel I can serve honourably or not. That's the best I can answer to that, I'm sorry.

Mr Martin: Yes, and you're absolutely right. SERCA is a big company and to suggest that because you're not a commissioned salesman you're somehow separate from that just doesn't cut it. In any public service, not only do we need to be clear of any direct conflict of interest, we need to be clear of the perception of conflict of interest as well. I think that it's not just perception, it's actually direct.

I certainly will be not wanting to support—I think, as you suggested, there's lots of work out there for a talented, very energetic young man like yourself to serve the community. This one, in my view, is going to create all kinds of difficulties for you in terms of conflict. If it was me, I certainly wouldn't want to do it. I suggest that the community wouldn't be well served by having you on that board given that very clear conflict. That's all I have to say.

The Chair: That concludes your questions. Thank you very much, sir. You may step down.

We now come to the part of the meeting that is devoted to the consideration of the appointments. We've had the process of presentation and questions. I will entertain any motions.

Mr Wood: I move concurrence regarding Mr Scarpino.

The Chair: Mr Wood has moved concurrence regarding Frank Scarpino, intended appointee as member, Smart Systems for Health Agency board of directors. Any discussion? If not, I'll call the vote. All in favour? Opposed? The motion is carried.

Mr Wood: With respect to Mr Dellandrea, I would ask that consideration be put over one week.

The Chair: A motion has been put forward with respect to consideration. Mr Gravelle, do you wish to speak on the motion?

Mr Gravelle: May I ask why we want to put it over for one week? It seems to me we are in a clear position where this should be withdrawn. Mr Dellandrea is a fine young man, but it seems to me the conflict is acknowledged by him and it just might be easier to do that.

Mr Wood: I'm always a believer in careful deliberation and that's why I—I don't think it's a motion. Any party has the right to require something to be put over one week. And to answer Mr Gravelle's question,

because I'm a believer in careful deliberation in all matters.

The Chair: On this general discussion, then, since it isn't a motion, Mrs Dombrowsky?

Mrs Dombrowsky: Does that mean we will be meeting next week?

Mr Wood: I hope so. Certainly, I will support meeting next week. And to give you a serious answer, I presume we are going to meet next week regardless of whether or not we have any people to interview. I would expect us to be meeting next week in view of what I have just said.

The Chair: Yes, in view of what you have said we would schedule a meeting next week, if our rules allow that to happen. And our rules indeed allow that to happen. So we would have a meeting scheduled next week.

May I ask a question for clarification? Would a further motion be put at that time?

Mr Wood: I think we'll have the meeting and at that time we'll find out what motions come forward. No motion has been made at the moment.

The Chair: Could there be an opportunity next week for members of committee to have input—in other words, to have a discussion—before we proceed? If that is fine, I think all members of the committee should feel easy then. It's not as though it's going to be without any further discussion and so on. Thank you for your suggestion.

Mr Wood: No motion has been made at the moment. There's nothing to discuss at the moment in terms of a motion.

The Chair: Exactly. According to our rules, and I'm sure Mr Wood knows the rules because he's well versed in these things, a subcommittee member may choose to defer the consideration of one or more of the intended appointees that the member has chosen until a future meeting of the committee at which attended appointees are to be reviewed, so long as consideration of the intended appointee has not previously been deferred. So we have that before us.

Thank you. That does conclude our business, unless there is any further discussion of any other issue.

Mr Gravelle: If I may, Mr Chair, and perhaps we can't discuss it now, but if I understood you earlier, there was an appointee who will not be able to be here necessarily next week.

The Chair: That's correct.

Mr Gravelle: Presuming the Legislature rises next week, that means we'll be into a different situation after that. Can we talk about the fact of whether or not we would actually meet the following week? That would be the week of December 16. Can we talk about whether or not we would have the ability to do that, or do we have to wait until we see what determination is made after the House rises?

Mr Wood: I should defer to the Chair, who is very knowledgeable about the rules, but my understanding is when we reach the point of intersession we are entitled to

meet a maximum of three times per month during the intersession.

Mr Gravelle: Three times per month?

Mr Wood: Yes. The extension of time for consideration, I think, gets us to something around January 21.

Mr Gravelle: Is that correct?

Mr Wood: Provided we have a meeting prior to January 21, that person is eligible for review.

Mr Gravelle: I asked the question because I thought the extension only brought us to a month from now.

Mr Wood: No.

Mr Gravelle: I wasn't clear on that. Thank you.

The Chair: Any other comments for committee, issues you wish to raise before we have adjournment? If not, I'll ask for a motion for adjournment.

Mr Wood: So moved.

The Chair: All in favour? Opposed? Motion carried. Thank you very much.

The committee adjourned at 1101.

CONTENTS

Wednesday 4 December 2002

Subcommittee report	A-165
Intended appointments	A-165
Mr Frank Scarpino	A-165
Mr Craig Dellandrea.....	A-170

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Wayne Wettlaufer (Kitchener Centre / -Centre PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Norm Miller (Parry Sound-Muskoka PC)

Clerk / Greffière

Ms Anne Stokes

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

CA20N
XC19
-G52



A-13

A-13

ISSN 1180-4335

Legislative Assembly of Ontario

Third Session, 37th Parliament

Assemblée législative de l'Ontario

Troisième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 11 December 2002

Journal des débats (Hansard)

Mercredi 11 décembre 2002

**Standing committee on
government agencies**

**Comité permanent des
organismes gouvernementaux**

Intended Appointments

Nominations prévues



Chair: James J. Bradley
Clerk: Anne Stokes

Président : James J. Bradley
Greffière : Anne Stokes

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 11 December 2002

Mercredi 11 décembre 2002

The committee met at 1005 in room 151.

INTENDED APPOINTMENTS

CRAIG DELLANDREA

Review of intended appointment, selected by official opposition party, Craig Dellandrea, intended appointee as member, Board of Management for the District of Nipissing East.

The Chair (Mr James J. Bradley): I will call the meeting to order. We have one formal item of business this morning, and we might take an opportunity to briefly discuss some other future considerations.

The only item on the agenda at this time is consideration of the appointment of Craig S. Dellandrea to the Board of Management for the District of Nipissing East.

Mr Bob Wood (London West): I move concurrence. I'm advised that the board of management's practice is to require members to declare any conflicts of interest at the start of their tenure and then to withdraw totally from consideration of any matter in which they have a conflict. Conflicts that arise during tenure must be immediately declared.

The food contract of the board involves a small portion of the total business of the board. On the basis of this information and my view that this appointment is a good one, I ask the committee to concur in the appointment.

The Chair: Any other comment?

Mr Tony Martin (Sault Ste Marie): I just find this appointment and approval outlandishly brash on the part of the government. I can see that from time to time there may be a sort of indirect conflict that somebody might declare, and I've seen that and respected that. But we have such a clear, direct and obvious conflict here. Here's a guy who is in senior management with a food services company that provides food to the one home in the district that they oversee, and you suggest he's going to be able to disentangle himself from that—I mean, the sitting around having coffee, the talking, the Christmas parties, the things that happen between board members and the little nudge-nudge, wink-wink that goes on about things.

He's going to have the agenda sent to him. He's going to know what's coming up, when those contracts are coming up, and will have unbelievable access to the folks

who make the decisions. I just can't understand this. I would—well, I'll leave it at that for now. I just think this is outrageous, probably one of the most outrageous things I've seen since I've been on this committee.

Mr David Ramsay (Timiskaming-Cochrane): I would also like to put on the record my objections about this appointment. SERCA Foodservices' eastern division is headquartered in my riding, in Sturgeon Falls, so I have an interest in this issue. My objection would be that even though we have conflict of interest guidelines that are spelled out, I would want to point out to the government, why would we put somebody in a major conflict when we are considering government appointments to agencies, boards and commissions?

A conflict that really is so major as supplying food for a home for the aged is a major consideration; it's not just a minor issue. Tendering for these services would come up on a timely basis. But not only that; food being an integral part of accommodation, a board such as this would receive complaints about food services, for instance. So there would be continuing discussion in handling complaints, discussions about the food service. This person would continually be in a conflict.

This is a major institution in the area, a major customer for SERCA. It really is unseemly that you would put this person in this direct conflict. I would really ask that the government withdraw this appointment.

1010

Mr Frank Mazzilli (London-Fanshawe): On a small point, these are all good points that were raised, but something we often don't look at is that no matter what the board or agency, or whether it's an elected body, most do have conflict of interest rules and guidelines. The difficulty in some cases is that if you're an elected member and your spouse works for the government and there's funding that comes out of the government directly, you could be affected directly and you could have to consider this a conflict of interest. This would mean it prevents you from doing the job in the first place.

Like I said, this was a good point that was raised. But I'd be more concerned if you had someone from a competitor who didn't have the contract and wouldn't have any conflict to disclose, per se. In those cases, that person could come before us, certainly not declare any conflict and be on the in. I would say that all boards and agencies do have their conflict of interest guidelines, and you'd expect everybody to take those seriously.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I think it is important that I voice my objection to this recommendation. As my colleague and the member for the third party have clearly indicated, food services are probably one of the most important services offered in a home for the aged. When we place our relatives and family members and friends there, it's because we want quality care, and providing them with good nourishment is an important component. I would suggest it's also an area that the home would receive a good deal of comment and feedback about.

I think it is also important, when we appoint people to these important roles within our community—I believe there's an expectation within our community that we appoint people who can be full participants in all discussions. To knowingly appoint someone who we know from the outset will not participate in a significant portion of the work that is done, particularly around issues of nourishment and nutrition and how those things are managed, and can they be better managed—for an individual to have to regularly declare that conflict, and by doing so not participate in any of the conversation, discussion, debate or decision around that, I think, is an injustice to the people in the community who expect that they have a local representative who is considering their perspective and not saying, on certain very important issues, "I'm sorry, I cannot participate because I have a conflict."

I think we have an obligation to look for people who can fully participate and fully represent the interests of the people of the community. That conflicts happen on boards is true. They do happen, and that is why guidelines are there. But to place someone on a board when we know that at least a portion of the business, and possibly a good deal of the business, would place this person in a conflict, I think, is quite irresponsible. I think we have an obligation to the people in this community to look for individuals who can fully participate in any and all discussions, debate and considerations of this board.

Mr Wayne Wettlaufer (Kitchener Centre): I wonder if I could go back about six years. I recall at that time a committee was going around the province of Ontario to look into the question of automobile insurance. It was a question at that time where the finance minister felt I had a conflict of interest because of my insurance experience and the fact that I was in the insurance business up until the time I got elected. I went to the Integrity Commissioner to get the views of the Integrity Commissioner on conflict of interest. The Integrity Commissioner said at that time that just because someone had an area of expertise—was in the business—should not automatically disqualify that person, that conflict of interest only came into being if he was in a position and took advantage of the position for his profit or advantage or someone else's advantage who was close to him.

It's not that he would give a profitable contract to someone but that he was in the position to profit or take advantage himself. However, if he declared that up front,

as I did, and then found that he was in that position, he could withdraw from the decision-making at that point. That is not to disqualify the person from taking part in the committee from the start. It's only at a particular instance within the committee's jurisdiction.

Now, I do want to say that I'm a little bit flabbergasted. I know Ms Dombrowsky was not here at the time, but certainly Mr Ramsay was and certainly Mr Martin was at the time their governments were in place and, gentlemen, your governments made appointments based on nothing but political expediency because someone happened to be a member of your parties. They had no area of expertise. You had no conflict of interest guidelines in place; it was this government that put conflict of interest guidelines in place. I'm a little bit flabbergasted.

Mr Ramsay: Mr Wettlaufer really makes my point, because what you're doing here, with this appointment, is putting this person in a position of influence in regard to his day-to-day work activity. If you look at the job description of Mr Dellandrea, part of his job description is promoting products. So he's an active inside salesperson, sales rep, and his job is to promote products. As you know, salespeople work on bonuses and commissions. He is in a direct position here to gain from doing his job well by promoting new products for his company to the institutions that he is servicing there. In the day-to-day operation, he's in this position of influence because he's the government's guy on this board, very well connected to the government political party in North Bay.

So he's on the phone doing his product promotion, which is a very legitimate part of his work for his company, and the executive director is getting a call now, or the head of food services in this institution is getting a call from one of their board members, who is very well connected, talking about a new product that maybe the institution should be purchasing for the people they serve in the institution. You've put him in a direct conflict where he can gain personally, on a day-to-day aspect of his work life. That's all I'm saying, and I think that's wrong. He's in that position of influence.

It's going to be intimidating for staff people that he has to deal with in doing his job, his legitimate work, because not only is he a member of the board but he is also a very well-connected government appointee to that board.

Mr Martin: I just wanted to respond as well to the comments of Mr Wettlaufer in that I think, in the example he used of his own circumstances, it's like comparing apples and oranges. To be appointed to a board looking at a piece of public business to give input, of course it would be helpful to have somebody with some background and experience and understanding. I wouldn't expect that you would go or even have the opportunity to sit on a committee such as the one you've suggested and then somehow gain some personal, direct benefit for yourself. You would be making recommendations, you know?

In this instance, you have a very direct and clear conflict and problem in that even if this guy withdraws from the decision-making, and there's a huge contract on the table being decided on, everybody around that table knows they've got to look this guy in the eye, a half an hour or an hour at the next meeting, and sit with him—the influence that's there, in so many ways.

You talk about appointing party members. One of the biggest frustrations we had when we were the government was that we couldn't in fact get enough party members appointed. We couldn't get the appointments secretariat to appoint some of the people.

Interjections.

1020

Mr Martin: Well, it could be. I don't know what the problem was. We'd bring forward what we thought were very good appointments, and they'd be turned down. I think it was probably because they were seen to be too politically connected and wouldn't be appropriate. So the truth of the matter doesn't hold here.

But I have a short list here of people who were on—we got a batch of appointments on Monday or Tuesday of this week, I think, that we had to respond to. Out of that group—and there are usually nine or 10 to a batch—there are one, two, three, four, five of those people who have given minimum \$275 donations to the PC party over the last couple of years—we do the research here. I was just wondering, and maybe you could clarify here, does the appointment depend on how much they give or whether they're actually connected or whether, in this instance, they hold—Mr Wettlaufer might have something to say on this. This guy is the president—

Mr Bert Johnson (Perth-Middlesex): Five hundred.

Mr Martin: It's \$500. If they give \$500, they get an appointment and then, I guess, depending on how much—

Interjection.

Mr Martin: Well, we have one here to give you. Do you want to know who it is so you can go back and say, "That's not enough"?

Mr Johnson: No, that would be a conflict.

Mr Martin: That might be a conflict. I see, OK.

We have before us here somebody who is the president of the Alliance party riding association and then a member of the PC party. I guess maybe that's why we're fighting so hard for him, since I have his—you folks line up fairly closely with the Alliance, actually. It's more than "progressive" Conservative.

Anyway, there's a whole list of appointments we're going to be dealing with in the next little while who have given significant amounts of money to the Conservative Party. Is that what this has come to? I guess the question I have for the Chair is, do we have the ability in this committee to bring this particular appointment before the Integrity Commissioner for advice? Is that something we can do?

The Chair: I'll turn to our clerk for advice. That's not a question that's been asked before, but we may be able

to obtain that information. Mr Wood, you're an expert in a lot of things. Is that possible?

Mr Wood: I think you'd have to find out the mandate of the Integrity Commissioner, which I did not understand extended to agency appointments. But I don't want to offer that other than as a superficial understanding. I think the right thing to do would be to inquire of the commissioner exactly what his mandate is, and that would get an answer to the question Mr Martin has posed.

The Chair: As always, Mr Wood is helpful in his counsel and advice. I should say to my friend Wayne before this goes on, one of the things that happened—because it happens probably with every government—was that all the Liberals used to complain that there were not enough Liberals being appointed when the Liberals were in power. We'd be appointing New Democrats and Conservatives and they'd be complaining constantly to us about that happening. So I must say it probably happens to everybody. Everybody gets those complaints.

Mr Mazzilli: On a point of order, Mr Chair: Just for the record, I've appointed many Liberals, but they don't find their way over here. They just seem to get through the system without being called by the official opposition.

Interjection.

The Chair: That could be the case. Anyway, I'm sorry to interfere in the middle, but I thought Wayne would get a kick out of hearing that there were a lot of frustrated people.

Where was I? Next, is Mrs Dombrowsky and then Mr Wettlaufer.

Mrs Dombrowsky: I would like to speak to the appointment of Mr Dellandrea and try one more time to have the government understand the very serious concern I have with this appointment. The government members would know that I support individuals who come to this committee who are members of all parties as well. That's not the issue here for me today.

In the material that Mr Dellandrea provided to this committee, he very clearly indicates in terms of his work responsibilities that one of his responsibilities is to handle problems and questions for his company. So again we have the spectre, the possibility, of a situation that would arise where this particular client of the company would have received complaints about food services. While he may not have been at the table—he may have declared his conflict, he's not at the table to debate the issue—ultimately he's going to be involved in it. How comfortable, how fair is it to the administration or members of the board of that home for the aged when they have to pursue an issue of quality or value for money that they're paying Mr Dellandrea's company? He's the person they meet when they make the complaint. This is in his own document; I'm not surmising this. He very clearly indicated he is responsible for handling problems and questions with SERCA Foodservices.

Again, in fairness to the people of that community, particularly those people who are offering their services

to ensure quality service for people in that home, I think that it's very serious. I'm sure that they would not appreciate being placed in that kind of difficult position should a situation arise around the quality of food services that are provided. The very person they would be going to would be Mr Dellandrea. There's no assurance. While he has to declare a conflict at the board, there's nothing to say that would be seen as conflict in his place of work; in fact he might be encouraged to try to ameliorate the issue because he's a member of the board.

I feel very strongly about this. I want the members of the government to understand that this for me is an issue about ensuring that the person we appoint in a very important role for the people of that community can be a full participant and would not cause some considerable—I don't want to say "grief," but it would be a very uncomfortable situation, I would suggest, if members of the board or representatives of the home for the aged had to bring issues even to this company that provides them with service.

The Chair: Mr Wettlaufer is going to pass, so I will go to Frank.

Mr Mazzilli: What has been raised is a good point. There's no question about it, I don't believe. But it has been raised and certainly highlighted because the person came before us and these issues were raised. It has been made into a bigger deal than it probably is.

At the same time, this does happen every day. Many volunteers choose to serve on boards where it's a home for the aged in all our communities. Many will want to do it strictly out of public service. But if we want to start scrutinizing all of them to this level, I would suggest that we could do it in almost every single case where you have someone who has joined a board because his or her grandmother is in that home and wants to have input, and so on. But if you start scrutinizing that person, you'll find that his or her spouse works for a soap company that could possibly want to sell to that home.

So my point is quite simple: the person came before us; he wants to serve his community. The potential conflict was certainly highlighted to a point, and a good point. My simple suggestion is, if we go down this path, I can tell you that for almost every single appointment in all of our communities, you could raise the same issue.

Mr Wood: I guess I would observe that the reason we have conflict of interest rules is to widen the pool of talent available for appointments to public bodies. My view at least is that a conflict in and of itself does not disqualify you. When you apply the principle of that to a particular case, of course you get different conclusions, as we heard this morning. I think all of the views that have been put forward this morning are sincerely held, legitimate views. It comes down to the application of those principles to a particular situation. That's what we have to do here. Each member will have to decide his or her view as to what the right conclusion is.

The Chair: Any further comment at all?

Mr Martin: Recorded vote.

The Chair: If not, I will call the vote. Mr Martin has requested a recorded vote.

All in favour of the motion put forward by Mr Wood regarding Craig S. Dellandrea and his appointment to the Board of Management for the District of Nipissing East? He has moved concurrence in the appointment.

Ayes

Johnson, Mazzilli, Wettlaufer, Wood.

Nays

Dombrowsky, Martin, Ramsay.

The Chair: The motion is carried.

COMMITTEE BUSINESS

The Chair: I would just like to canvass members of the committee informally regarding another matter that should only take a moment or two.

First of all, I should say that Mr Crossland is the only person we have at this time, although by Thursday of this week, everybody has to indicate if they would like to see any of the latest appointments from cabinet come before the committee. That has to be in on Thursday by 5 o'clock. He is the only one so far. He has been extended to January 21.

Also, there is the matter of the Sudbury CCAC. The last I recall, members of each caucus were asked to talk to their House leaders regarding the possibility or timing of this matter coming before the standing committee on government agencies. We would need a letter today or tomorrow in this regard. Anyway, I want to go to Mr Wood.

Mr Wood: On the matter of the review of the CCAC, I guess we're in the hands of the House: we either receive a resolution over the next couple of days or we do not. We can then arrange our agenda accordingly. Certainly from the government's point of view—by that, I mean the government members on this committee—I think if the House so directs, we're prepared to do it during the intersession. If they don't direct that, we're certainly prepared to tackle it when we get back in the regular session.

The Chair: Any other comments? I presume members have spoken to their House leaders regarding this and the House leaders are discussing this matter. I'll ask our clerk what formal action might be contemplated by this committee.

Clerk of the Committee (Ms Anne Stokes): The only thing I can see is, if the committee wanted as a committee to go forward formally to the House leaders, I could prepare a letter to that extent. But I believe the understanding was that each caucus would discuss it with their own House leader. The only other option is if you wanted a letter to go from the committee asking for the authority.

Mr Wood: I might indicate, on that point, that we have not changed our view. What we have done is transmit the interest expressed by some members of this committee to our House leader. We think it's a matter for the House to decide. We are not thinking in terms of making a recommendation, pro or con.

The Chair: Any further comment? If not, we'll leave it at that. The House leaders will be having meetings, no doubt, on an ongoing basis these days, as they usually do in the latter days of the House sitting. We will be at their mercy, shall we say, in this particular case, but each party will have transmitted to their House leader their concern or their desire to see this matter come before the committee in the intersession. As Mr Wood has appropriately

pointed out, without that approval, without that motion before the House, this matter could not be dealt with until the House were to return.

Mr Wettlaufer: Mr Chair, can we be assured that you will express to the necessary House leaders your extreme desire to sit at that time?

The Chair: I will be more than pleased to do that, Mr Wettlaufer, as always.

Any other business for the consideration of the committee? If not, I'll entertain a motion of adjournment.

Mr Wood: So moved.

The Chair: All in favour? Opposed? The motion is carried.

The committee adjourned at 1034.

CONTENTS

Wednesday 11 December 2002

Intended appointments	A-175
Mr Craig Dellandrea	A-175
Committee business	A-178

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Wayne Wettlaufer (Kitchener Centre / -Centre PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr David Ramsay (Timiskaming-Cochrane L)

Clerk / Greffière

Ms Anne Stokes

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

AZON
C19
G52

Government of Ontario



A-14

A-14

ISSN 1180-4335

Legislative Assembly of Ontario

Third Intersession, 37th Parliament

Assemblée législative de l'Ontario

Troisième intersession, 37^e législature

Official Report of Debates (Hansard)

Wednesday 15 January 2003

Journal des débats (Hansard)

Mercredi 15 janvier 2003

**Standing committee on
government agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues

Chair: James J. Bradley
Clerk: Anne Stokes

Président : James J. Bradley
Greffière : Anne Stokes

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 15 January 2003

Mercredi 15 janvier 2003

The committee met at 1009 in room 151.

The Chair (Mr James J. Bradley): I'm told I have to use the gavel here to get the meeting underway. We are now on Hansard. Welcome to members of the committee. This is our first meeting of the new year. I extend to all members of the committee a happy new year in everything. We have quite a lengthy agenda today.

SUBCOMMITTEE REPORTS

The Chair: We will begin with some reports that we have. This is a report of the subcommittee on committee business dated Thursday, December 12, 2002. Would someone like to move that?

Mr Bert Johnson (Perth-Middlesex): I'm sorry, what was the date again?

The Chair: This is December 12, 2002. Mr Spina has moved it.

Mr Johnson: That's great.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I would like to move an amendment that the report of the subcommittee dated Thursday, December 12, 2002, be amended by withdrawing the selection of the official opposition party for the review of Douglas Fred McConnell, nominated as a member of the Stone Mills Police Services Board.

The Chair: There is an amendment. First of all, we'll vote on the amendment. All in favour of the amendment? The amendment is carried. All in favour of the motion, as amended? Carried.

The second one is the report of the subcommittee on committee business dated Thursday, December 19, 2002.

Mr Joseph Spina (Brampton Centre): So moved.

The Chair: Mr Spina has moved the subcommittee report. All in favour? Opposed? The motion is carried.

The third one is the report of the subcommittee on committee business dated Thursday, January 2, 2003.

Mr Spina: So moved.

The Chair: Mr Spina has moved it. All in favour? Opposed? The motion is carried.

INTENDED APPOINTMENTS

JAMES CROSSLAND

Review of intended appointment, selected by official opposition party: James Crossland, intended appointee as member, Cancer Care Ontario.

The Chair: We now move to appointments review. The first individual to be reviewed is Mr James Crossland, intended appointee as member, Cancer Care Ontario.

Mr Crossland, you may come forward, please. Welcome to the committee. As you have been instructed, if you wish to do so, you may make some initial remarks, and then members of the committee, if they wish, may direct questions to you. Welcome, sir.

Mr James Crossland: Good morning, Mr Chairman and distinguished committee members. I'm very pleased to be here with you this morning to discuss my intended appointment as a member of the board of Cancer Care Ontario and to answer any questions you might have.

I would like to thank the committee, first off, for agreeing to delay my appearance until today. I know that the previous choice for my appearance was in mid-December. I was out of the country at that time, so I appreciate your flexibility in seeing me.

I understand that my resumé has been circulated to committee members, so my comments this morning will focus on why I wish to serve the interests of this crucially important organization and on my general qualifications.

My motivation to serve is both personal and public spirited. On a personal level, like many in this room, I have witnessed the pain and suffering caused by cancer. I lost my mother to cancer. My father, who is with me today, is a cancer survivor. I have lost numerous friends and colleagues over the years to this nefarious disease and I wish to honour their memory. But my motivation is primarily public spirited. In short, I want to give something back to a community that has been very good to me and to my family.

Like thousands of Ontarians, I have helped in the fight against cancer informally at the local level by making donations to cancer-related organizations and by participating in events whose goal is to eradicate the disease and to alleviate the pain and suffering of those stricken with it.

While these efforts are important and we must do all we can to encourage and support them province-wide, I decided that I wanted to do more to make a more formal commitment to helping win the war against cancer and also to volunteer more of my time to this very worthy cause. Cancer Care Ontario is the logical vehicle through which to do this.

The mission of CCO is to reduce the growing burden of cancer in Ontario. This means ensuring timely and

equitable access to excellent care and promoting research. It also means developing effective programs in the areas of detection, prevention and education. We know that early detection is crucial in the fight against cancer. So too is prevention. In fact, simple changes in lifestyle could prevent thousands of cancer cases annually in this province. Education is key to both detection and prevention. In all of these areas, effective communication and an ability to build broad coalitions of support are important factors for success.

For this reason, I believe my career and professional experience have equipped me to make a contribution, however modest, to Cancer Care Ontario. Over the past 15 years I've held senior executive positions at two of the nation's leading public and government relations consulting firms. In addition to learning how to build and manage a successful enterprise, I've worked closely with governments, the private sector and not-for-profit organizations, helping them to devise solutions to complex problems in the public policy arena.

I've also gained valuable experience and expertise in the field of public relations and strategic communications. I believe that Cancer Care Ontario's long-term success will depend in large part on the organization's ability to communicate effectively to the plethora of stakeholders who have a role to play in building a world-class cancer care system in Ontario.

In conclusion, while I'm not a cancer expert, I believe I have something useful to contribute to Cancer Care Ontario. I will work hard and will be passionately committed to my duties. The people of Ontario deserve no less. I'm also an optimist. I believe we will find a cure for cancer, but only if we work together.

If my appointment is approved today, I will begin immediately to acquaint myself with the detailed operations and programs of Cancer Care Ontario as well as the excellent people who work there. This will include a comprehensive review of the financial, strategic and business planning materials to which I have not yet been made privy but which I assume will be made available to me as a member of the board.

I would be pleased to answer any questions you may have.

The Chair: We begin with the government caucus.

Mr Johnson: I don't have a lot of questions for Mr Crossland, but I did want to thank him, on behalf of our caucus, for offering himself for such a worthy cause. There has been a lot of controversy about cancer in particular and the northern concern about travel and so on. It will not be without its difficulties for decision-makers, and our members are pleased, on behalf of all those who suffer from cancer or have close ones who do, and there are a lot of us in that category, that you've offered yourself to help on this very important board.

The Chair: We will move now to the official opposition.

Mr Michael Gravelle (Thunder Bay-Superior North): Good morning, Mr Crossland. Can you give us some details as to how this appointment came about?

Certainly you've eloquently expressed your interest in being involved and some of the personal reasons why it means a great deal to you. But how did the appointment to Cancer Care Ontario come about? Were you working with a member of the government in terms of the appointment coming forward? We're just curious about that.

Mr Crossland: No, I wasn't working for a member of the government. The minister's office asked whether I might be interested in serving on this board. I indicated that I would be, given that I had a personal interest in cancer. This was back in the summer. A few months went by and they asked for my resumé, which I sent to them. Then I got a call before Christmas indicating that the government wanted to make the appointment and that I would be requested to appear here.

Mr Gravelle: How do you think your professional expertise will be useful? You've given it some thought. How do you think that will be useful in terms of the goals of Cancer Care Ontario?

Mr Crossland: There are two areas. One, I've had some experience in managing business and in the human resources area: hiring and retaining people to run a business successfully. I know that one of the most important challenges facing CCO is the recruitment and retention of health care professionals to ensure that we have timely access to care province-wide. I know there's a shortage of a whole range of providers: pathologists, and also in the radiation area. I have an interest in human resources issues—retention and recruitment—and I think I have a bit of experience there.

But it's really in the area of strategic communications where I've worked over the past 15 years. I refer in my comments to issues such as detection and prevention. I think there's a huge role to play for communications: communicating what needs to be done to prevent cancer and also to detect cancer in the early stages. We all know that if you detect it early, your chances of survival are far greater.

Mr Gravelle: Mr Johnson made passing reference to some of the issues in terms of northern cancer patients and the fact that for a period of time cancer patients looking for radiation treatment were being sent to the United States, but also were being sent to the cancer centres in northern Ontario, getting their travel costs paid and full accommodation, which was an extremely sensitive matter for northerners who, when they were forced to travel, weren't receiving that full compensation. It was something that we felt was very discriminatory. One of the government's responses was indeed to contract with the private clinic at Sunnybrook in terms of radiation. I would love to get your thoughts on that. Certainly the auditor indicated that he had some concerns related to the costs. I think we tend to believe that indeed the publicly administered and publicly run and funded cancer centres are very effective, and this private clinic, certainly by the auditor's account, was costing more. I would like to get your thoughts on that, on the use of the private clinic, if I may.

1020

Mr Crossland: I'm not sure I can add anything new that hasn't already been said or written on the issue, but I first of all support the principles of the Canada Health Act and I know that that clinic was operating in consistency with those principles. I'm aware there was a debate on the accounting methodology used to calculate the cost of treatment, differences between the Provincial Auditor and some other academics who were asked to evaluate that process, but I'm not an accountant; I'm not an expert on that. I am aware that the primary objective of the organization was to stop re-referring patients to the US for treatment, and they were successful in doing that, so I think CCO and Sunnybrook should be commended for that. I can't imagine anything worse than being stricken with cancer and being forced to leave the country to undergo treatment. So to the extent that they achieved that objective, I think that's good. Also, from my recollection of reviewing the materials, the auditor did point out that it was a lot less expensive treating people here in Ontario than sending them to the United States, for obvious reasons.

I don't have all the facts that were at the disposal of the board when they granted that contract, but I do know that they achieved their objectives, and I think they should be commended for that.

Mr Gravelle: Thank you very much. If I may, Mr Crossland, just to expand on the discussion of private health care, the government also, through Mr Clement, has announced the tendering for private MRI clinics. Certainly I can tell you that I object to that on the basis that we should be using our public facilities, public MRI clinics, and have them before we start moving into—I don't support it in any event, in that I think we need to set up more publicly run systems. Can I get more of your thoughts on the whole issue of private health care? There are many of us who feel we are going down a very, very dangerous road and that it's not necessary and it's more expensive. Have you given any more thought, even outside the cancer care mandate, in terms of private health care?

Mr Crossland: As I understand it, 30% or 40% of the health care in this country is already privately provided. I support the principles of the Canada Health Act. I think we need a universal system that's publicly funded and publicly administered. At the same time, I think we need to be open-minded as to how we go about solving some of the problems facing the health care system. I know that waiting times for radiation are unacceptably long right now. They are far beyond the four weeks recommended in medical guidelines. That's just one area.

There are waiting lists as well for systemic therapy, and we also know there are waiting lists for cancer surgery. We don't know yet the extent to which those lists are affecting the success of treatment. But I think we need to be open-minded, and as long as it's consistent with the principles of the Canada Health Act, we should take a look at it.

Mrs Dombrowsky: Good morning, Mr Crossland. I did note in your resumé, your curriculum vitae, that

you've indicated politics among your interests. If you might explain to what extent you have been interested and/or involved in politics?

Mr Crossland: Well, I'm interested in politics. I have a BA and an MA in political science. I guess I'm a political scientist. I went to York University and McGill. I wrote a thesis on the role of the Charter of Rights in the evolution of the court system in Canada. I've been involved politically over the years at different levels of government as a Conservative, provincially many years ago, and federally as well.

Mrs Dombrowsky: As a member?

Mr Crossland: As a—

Mrs Dombrowsky: As a member of an association?

Mr Crossland: Yes.

Mrs Dombrowsky: As a candidate?

Mr Crossland: No.

Mrs Dombrowsky: I was interested as well in your comments when you indicated that you believe early detection of cancer is crucial. I think there are volumes of research documents that would say that is very sound thinking.

In Ontario at the present time we have the Ontario breast screening program and the Ontario cervical screening program. I have heard from many of my constituents about another screening program that is not covered by OHIP but is believed to be and in other jurisdictions is recognized as an important detection tool, and that is the PAS testing for prostate cancer. Are you familiar with that?

Mr Crossland: PSA testing?

Mrs Dombrowsky: Yes, PSA. I'm sorry.

Mr Crossland: I am familiar with that. Earlier in my remarks I referred to my father, who is here. If it weren't for that test, he might not be here today.

Mrs Dombrowsky: So obviously you have an opinion on how valuable that test is.

Mr Crossland: It seems to be very valuable, based on what I have read. I'm not a practitioner. I know there are debates about it.

Mrs Dombrowsky: Yes, there are.

Mr Crossland: But I'm certainly in favour of doing everything we can to increase funding for preventive measures.

Mrs Dombrowsky: Increased funding for preventive measures: would you, as a member of the board of Cancer Care Ontario, be prepared to advocate for the PSA test to be covered by OHIP?

Mr Crossland: I'd need to learn more about it. I'm not an expert on that. I am familiar with it. As I said, we have personal experience with it.

Mrs Dombrowsky: So even though it saved your father's life, you have some question about whether you would be prepared to advocate that it—and you've already indicated as well that you believe early detection is crucial. It is a test that does in fact fall in that category, and it's something that I know people in Ontario, and certainly constituents of mine—there are groups that have been organized to lobby for this very important test.

There's a gender issue here as well, and there's a sense that in terms of efforts to offer early detection programs, there really are none for males, and this is a very serious issue for men in the province of Ontario. So for me it's important to understand just how strongly you might feel about this issue and what you would be prepared to do, as a member of Cancer Care Ontario, to move this issue forward.

Mr Crossland: I'm inclined to be very supportive of that—

Mrs Dombrowsky: Would you initiate it?

Mr Crossland: —but having said that, I would want to review the research on it, because there is conflicting research as to the effectiveness of the test—I know that—and I'd like to learn more about the cost implications of covering that provincially, because the system is under enormous pressure right now and there are other conflicting demands for scarce resources. So I would like to educate myself on that. I will be an independent member of the board, and once I'm comfortable with a level of knowledge on that issue and feel it should be advocated, I will be an advocate.

Mrs Dombrowsky: You would be?

The Chair: That concludes your time, and we'll move to the third party.

Mr Tony Martin (Sault Ste Marie): Are you a member of the Progressive Conservative Party now?

Mr Crossland: Not in Ontario; I am federally.

Mr Martin: Did you play any role in the recent leadership contest in Ontario?

Mr Crossland: No.

Mr Martin: OK. Just in looking at your resumé and recognizing your very successful career in business, I'm wondering what you feel you can contribute to the development and evolution of cancer care in Ontario. That's my question.

Mr Crossland: As I mentioned earlier, my experience in managing a business and managing people is something that I think is very important for Cancer Care Ontario. The organization is going to be spending a lot of time and money in recruiting new professionals and retaining existing professionals, and on that whole HR side I think I've had some experience and could probably bring some insight to their efforts in that area.

I mentioned my professional experience in terms of strategic communications in earlier comments about the need to educate the public on detection issues and prevention issues. If I can add something to the organization's efforts in that area, I think maybe I can make a modest contribution there too.

Mr Martin: My concern is that we have some serious difficulties in the province at the moment—and you've already referenced that—in terms of delivering. You said yourself that the system is under enormous pressure. I guess my fear—and I've seen examples of it under this government over the last seven years—is that we'll try to finesse our way out of it and communicate our way out of it as opposed to actually really fixing it and spending the money that's necessary to do that. Given your back-

ground, it runs up a bit of a red flag for me and sets off a bell in terms of—you know, you're obviously very good in the public relations field and in creating successful private sector operations. You've been very successful in your career in that. What's to give me any comfort that your approach to resolving some of the issues that confront the cancer care health delivery system in Ontario will not be simply turning more of it over to the private sector and finessing your way, the government finessing its way, out of that by having somebody with your skill on board in the public relations field?

1030

Mr Crossland: I'm surprised my background would be a red flag for you. I come here honestly to volunteer my time for a very worthy cause. I approached this open-mindedly and I know, from a communications perspective, that there are very few people in this province who have ever heard of Cancer Care Ontario. I think if you talk to average people, no one has ever heard of Cancer Care Ontario. I think we have an important role to play to communicate to people across the province what Cancer Care Ontario is and what they're doing to improve the quality of patient care. That's a communications issue, as far as I can see. Improving treatments is a science issue, but it's also a communications issue, as I've mentioned in the areas of prevention and detection.

I really don't know how to answer your question except to say that I am sincerely interested in contributing here. It is a complex area with a very steep learning curve. Whenever we can simplify communications for the layman in this province to understand the importance of the issues, then we should do that. If I can make a contribution in that area, then I'll consider my efforts to have been successful.

Mr Martin: I would think you would understand that there is a huge debate happening in the country right now, and in this province as well, around how we deliver health care. It's divided very clearly on a front of, do we do it, do we continue along the publicly funded, publicly delivered track, or do we, as you referenced in your opening statement or in your response to other questions, move more and more into finding ways to expand the already existing portion that is delivered by the private sector that creates for some of us some real and, I would suggest, genuine concern, as genuine as your coming before us here today? Those of us who are charged with leadership in terms of developing public policy and organizing how we deliver those services that are so critical to our constituents have an interest in that and should have an interest in that. When we look at how we've tried to resolve some of the issues over the last five or seven years in this province, given that we've given untold billions of dollars away in tax breaks that could be available to us now to deliver a first-class health care system that wouldn't have the kinds of waiting lists that you referred to a few minutes ago in your comments, you don't understand why I would have a concern with somebody coming forward to be appointed to Cancer Care Ontario with your very successful yet narrow background where that is concerned?

Mr Crossland: Well, no. It's a legitimate concern and it's an important issue. I stated earlier that I support the principles of the Canada Health Act. The CROS clinic was operated in a manner consistent with the Canada Health Act. The result of that clinic was to end the re-referral of patients. Ill people who required radiation treatment and chemotherapy were forced to go to the United States for treatment. I think what they did there was very important and very worthy. I think about 1,500 people have been re-referred to the States for treatment. It would be awful to be away from your family and friends during that kind of period.

That's an operation that was consistent with the Canada Health Act. I support it. It was an innovative solution to a particular problem at that time. If we had to do it all over again, I wouldn't have a problem with doing what they did at that time. But, having said that, I do support the public system. I hope that reassures you somewhat.

I'm not in favour of dismantling the system. I'm not in favour of two-tier health care. I'm not in favour of privatizing the entire system at all. But I do think we need to be open-minded and flexible when it comes to caring for individuals who are suffering from the disease. That may require us to think quickly on our feet and to deal with crises at certain times, such as that which was faced in the province in 2000-01.

Mr Martin: The big issue, and I would guess at the end of the day probably the major issue in all of this, is going to be, how do we find the resources and can we afford the system that is obviously needed? The question then will be, does the government provide the resources through taxation, which is the only avenue we have to the resources we need, or do we move to try to get more money out of the private sector system of delivery and some combination thereof? If it became obvious to you, as a person on the board of Cancer Care Ontario, that more resources were obviously needed to actually do the job, and the government was in a position to make a decision on whether it was going to give more tax breaks to people or put more money into providing better cancer care for people, what side of that fence would you come down on?

Mr Crossland: I think there is agreement on the fact that we need more funding in this province, and indeed this country, to improve the health care system. The Romanow report reached that conclusion; the Kirby report reached that conclusion. I think all of the provincial Ministers of Health support that view.

I know the one thing about the Romanow report that was unclear to many people was how we would raise the money that we need to inject into the system, and I leave it to politicians at the federal and provincial levels to decide how best to do that.

The demand on the cancer system in Ontario will continue to grow, and we need to be innovative as to how we attract capital into the system. I think the public-private partnerships in terms of, for example, managing the physical plant of hospitals—I read an article recently

on that—is something that is being done widely internationally and is something we should take a look at here in Ontario and in other provinces as well, as a means of attracting capital into the system for non-patient-care-related areas.

The Chair: That concludes the questioning in this particular instance, sir. You may step down. Thank you for being with us.

LYNN BEYAK

Review of intended appointment, selected by official opposition party and third party: Lynn Beyak, intended appointee as member, Council of the College of Massage Therapists of Ontario.

The Chair: The next intended appointee is Lynn Beyak, who is the intended appointee as member, Council of the College of Massage Therapists of Ontario. Welcome to the committee. You may join us. I think you are aware that you have an opportunity to make an initial statement if you see fit, and then there will be questions from members of the committee if they see fit.

Mrs Lynn Beyak: Thank you for the opportunity to appear before you to tell you a little about myself and to answer any questions you may have concerning my intended appointment to the Council of the College of Massage Therapists of Ontario.

I'm a small business owner in northwestern Ontario and have been involved in my community since 1982 as a classroom volunteer at Riverview school, a delegate for the West Rainy River District Home and School Association and an elected trustee for seven years with the Fort Frances-Rainy River board of education where I served as vice-chair. Our board was a member of the Ontario Public School Boards' Association and I was elected northern delegate for the policy committee there.

In 1994, I attended a roundtable for violence prevention in schools at the invitation of then-Minister of Education Dave Cooke to present a code of ethics that we had initiated at our board that I was very proud of. It was done in co-operation with a 15-person committee consisting of three students, three parents, three trustees, three teachers and three administrators. Our code became a model for others across the province.

In 1996, I chaired the Ontario Parent Council and in 1997 I was selected by a committee of my peers to sit on the inaugural board of the Real Estate Council of Ontario.

I have summarized my resumé in this way to highlight my extensive work on elected boards and councils and to underscore my experience in establishing standards of professional conduct and competence; codes of ethics; policies, procedures and principles; and standards of business practice, ever mindful that consumer protection and the public interest are paramount. I believe this expertise will be an asset to the appointment you are considering today, and I look forward to any questions you have of me.

1040

The Chair: Thank you very much. We begin our questioning this time with the official opposition. Mr Gravelle.

Mr Gravelle: Good morning, Mrs Beyak. How are you?

Mrs Beyak: Good morning, Michael—Mr Gravelle.

Mr Gravelle: I feel like calling you Lynn as well; we know each other well. It's good to see you. It's been a while, and I do want to begin by expressing my condolences on the passing of your husband, Tony, who was a wonderful guy. It was a shock to all of us and obviously a great shock to you. He was a wonderful man and a great northerner, so our condolences.

Mrs Beyak: Thank you, Michael. He thoroughly valued your friendship and the time you spent together with the chamber and working on northern issues.

Mr Gravelle: Yes, I know it meant a great deal to him.

It's good to see you. Nonetheless I do want to ask you a few questions if I may, Lynn. My understanding is that you are presently on the board of directors of the Trillium Foundation.

Mrs Beyak: Yes, I am.

Mr Gravelle: So it does seem a little surprising to have you in the position of asking to be on another one as well. How did this opening for the massage therapists come about, or can you tell us how that appointment went forward?

Mrs Beyak: I submitted a resumé to the government a long time ago and told them that I would be honoured and pleased to serve in any capacity, but that my strength was codes of ethics, and standards of business practice, principles and policies.

I think if you want something done right you have to give it to a busy person, and I can do both.

Mr Gravelle: Do you have some specific concerns? As you say, you didn't specifically ask for massage therapists, but you see the code of ethics issue. Are there some issues that you think are sensitive in the area of massage therapy particularly?

Mrs Beyak: I don't know of any in that particular college. I have friends, associates across the country—two in Ontario, two in Alberta and one in Baja California—who are massage therapists, and I very much admire their professionalism and their work ethic. I don't know of anything that needs to be done, but if there is something there, I certainly have the experience.

Mr Gravelle: I know there has been some movement related to acupuncture. There has been a recommendation that acupuncture become controlled under the Regulated Health Professions Act. Do you have any thoughts on that? It's been recommended, and for whatever reason, the government hasn't moved to make it controlled. Do you have any thoughts as to whether acupuncture should be controlled under the act?

Mrs Beyak: I don't have any knowledge of that issue, but I am a quick learner and I will learn very quickly what the issues are and make myself familiar with it. I think it's important that public appointees not have any

agenda on these colleges, and I admit I don't know very much about it. I will learn, though.

Mr Gravelle: Well, they certainly are quite specifically looking for people as public appointees who don't have a background or a particular bias, so I think that is fair ball.

Back to the Trillium Foundation, if I may, are you a member of the grant review team or are you on the Trillium board of directors?

Mrs Beyak: The board of directors. I helped put together the grant review team in northwestern Ontario with a non-partisan selection of people who would serve northwestern Ontario well, and I think it was that experience that made them see fit to put me at the board level for the province.

Mr Gravelle: Let me put you on the spot a bit, if I may. One thing that is obviously a concern here is that there is a casino in Thunder Bay, which of course they call a charity casino. To me it certainly is not a charity casino, but perhaps that's where our politics will show. One of the great concerns, certainly the justification, is that the Trillium Foundation is providing funds to not-for-profit groups and charitable organizations. But there are some real problems since the casino has been in place, certainly in Thunder Bay, and you would probably be fairly familiar with some of the issues that have come out there. The belief is that money is being sort of taken out of the community and the money that is going back isn't a fair representation of what is needed. Certain organizations—the Regional Multicultural Youth Council in Thunder Bay has had some real problems because they're not able to basically gather the same revenues they had before.

What are your thoughts on it? I certainly have real concerns about it myself. I also have real concerns as to whether a casino is—I personally do not support a casino. I know there are many who like to take part in them, but I don't. What are your thoughts, if I may ask you?

Mrs Beyak: The issue has actually been raised in different jurisdictions across the province, and the CEO at Trillium is aware of it and has discussed it with the minister. I know they are having ongoing discussions about ways to make Trillium accessible to organizations that used to depend on bingos and other charity events to raise their money. So they're very aware of it and are working on a solution.

Mr Gravelle: Yes, it's a real problem. May I ask you, Lynn, if you're still involved in the political scene? Certainly you've got some real history.

Mrs Beyak: Yes. It's probably in my blood forever, Michael.

Mr Gravelle: I understand you almost won an election in 1995. You came—

Mrs Beyak: Very close.

Mr Gravelle: Any other interest in getting more deeply involved? Can I ask you that?

Mrs Beyak: No, not at this time. Tony was my best friend and my partner there. We did it all together, so it would be very difficult without him.

Mrs Dombrowsky: Thank you for coming. Is there more snow in Dryden than in Toronto?

Mrs Beyak: There is in Dryden but not much anywhere else in the north. There's nothing in Thunder Bay.

Mrs Dombrowsky: Oh, really? We certainly have more at my home in Tweed than we have in Toronto these days.

The position to which you are intended to be appointed is an adjudicative role. While your resumé is very full and rich, have you had any previous experience in this kind of role in particular, where you will have cases brought to you and you'll have to make a judgment? It may not be a black and white situation, and you do have to weigh the merits of both sides of a particular case or issue. Have you had any experience in that particular kind of service role?

Mrs Beyak: I have never had the title of adjudicator, but as vice-chair on the school board, we had many, many instances where we had to decide whether a student had violated the code of discipline or the code of conduct—and also with the Real Estate Council of Ontario, whether real estate agents had violated the code. So I was never called an adjudicator as such, but I've had a lot of experience with listening to all sides of an issue and coming to, I believe, a fair decision.

Mrs Dombrowsky: So you believe that you bring to this role the tools which would enable you to assess a situation fairly and to make a good decision or the best decision you can with the information you have.

Mrs Beyak: Yes, I believe I do.

The Chair: We now move to the third party. Mr Martin?

Mr Martin: I'm just wondering as I go through your resumé when and how your interest in massage therapy was tweaked and, given your obvious vast experience and connections, why this would be the board that you'd end up being appointed to.

Mrs Beyak: I was surprised at that particular board, but I had offered to do work on any board where my skills for codes of conduct, principles, procedures and business practices would be used. I think that I, as a consumer—and I worked for a doctor for six years; I don't know if that would count—but I have an interest in the health care field. Both my parents are deceased. I've had a lot of experience with it. I do have friends who are massage therapists. My husband went weekly for a massage. I think it's as good a role as any that I could play, because I believe there will be times when my expertise will be used.

Mr Martin: I note in your resumé an interesting juxtaposition at one point, where I think you were a real estate broker, a registered insurance broker and also a family counsellor. How did you put that together?

Mrs Beyak: I've been a registered real estate broker since 1975. I have what's called a dual licence for real estate and insurance. They grandfather in some cases if you've been an insurance broker or a real estate broker for a long period of time. The family counselling came through my own and my husband's experience from 20

years ago. It's personal. But we got involved together in helping people with their marriages. I don't have a licence.

Mr Martin: You have no training, background or licence or anything?

Mrs Beyak: No. It's just—

Mr Martin: It says here that you're a member of the Reform Party and the Canadian Alliance. Are you also a member of the Conservative Party?

Mrs Beyak: Of the Ontario Conservative Party.

Mr Martin: And you ran for them in 1995?

Mrs Beyak: Yes.

1050

Mr Martin: Also, there are references here that you are an ambassador on Ontario's Promise.

Mrs Beyak: Yes.

Mr Martin: What's happening with that at the moment?

Mrs Beyak: As ambassadors, we try to promote a better life for children who don't have all the tools that are necessary to have a good life in Ontario, children who are underprivileged. We try to get in-kind donations and dollar donations from corporations, 4-H clubs, Rotary to help children who don't have the benefits we would like them to have. I'm just a spokesperson. An ambassador talks about the program to anybody who might be able to help with it.

Mr Martin: Are you aware of the clawback of the child tax benefit supplement that this government is involved in?

Mrs Beyak: No, I'm not. Is it recent, Tony?

Mr Martin: No, it has been going on for quite a while, actually. The federal government decided, in response to an all-party resolution by Ed Broadbent in 1989 that child poverty would be eradicated by the year 2000, to put in place a supplement to the child tax benefit, which we all get if we have kids, for poorer families in the country. The province of Ontario decided that if you were on assistance of any sort and you were getting the supplement, it would be clawed back dollar for dollar from you, which means, in my view—and I've been across the province with this—that those children in our communities who are most at risk and most vulnerable don't get this very important and valuable money. Does that not fly in the face of any promise this province might make to very at-risk and vulnerable children? It certainly does in my mind.

Mrs Beyak: I'm really sorry that I don't know anything about that. I thought I knew just about every issue that the government was involved in, but I'm not aware of that one; I'm sorry.

Mr Martin: I could give you a few more too, if time would allow, but I won't; I'll leave it there. Thank you very much.

Mrs Beyak: You're welcome.

The Chair: Thank you. We now move to the government party.

Mr Spina: Hi, Lynn. It's good to see you. I know it has been a long time since we've seen each other. I have

two comments: one a question on the appointment on the council and, after, a comment.

Lynn, I don't know if you have briefed yourself on this council and this industry yet, but one of the problems that has been experienced in the industry is the quality and the number of insurance claims as a result of soft-tissue injuries. Often there is a perceived conflict between doctors who evaluate the patient for additional or X number of treatments in therapy and the actual people who do the therapy. Part of the conflict is that doctors own the therapy clinic, so they're kind of feeding themselves through the back door. This was a problem that surfaced. It has been very difficult for the insurance industry to challenge it. There was some thought about conflicts with regard to doctors assigning X amount of therapy. Now, we curtailed some of the treatments under the Insurance Act. You had some experience, but I don't know if you had any knowledge about this and if you had any thoughts on it.

Mrs Beyak: I don't have any knowledge of it, Joe, but in our town the massage therapists are entirely separate from any of the doctors. They're all independent workers. I think it would bear watching, certainly, and I would want to familiarize myself with it immediately.

Mr Spina: Thanks, Lynn, and you know we all loved Tony.

Mrs Beyak: Thanks, Joe.

Mr Spina: You and I will fight back tears together, I know. We'll miss him. But I'm glad to see you're being appointed, and it's good to see you again. I wish you well.

Mrs Beyak: Thanks, Joe. It was the most devastating time of my life, but it is friends, kindness and condolences that get you through it, and I'm very grateful. Thank you.

Mr Spina: Take care.

The Chair: Any other questions? No?

Mr Johnson: We'll defer the rest of our time.

The Chair: Thank you very much for being with us. You may step down. We wish you well in your travels back to the north.

MICHAEL KING

Review of intended appointment, selected by third party: Michael King, intended appointee as member, Strathroy-Caradoc Police Services Board.

The Chair: Our next intended appointment is Michael King, intended appointee as member, Strathroy-Caradoc Police Services Board. Mr Johnson will correct me if there's any mispronunciation there.

Welcome, sir, to the committee. As you know, you have an opportunity to make an initial statement if you see fit.

Mr Michael King: Good morning, everyone. I'd like to thank the committee for the opportunity to be here today to explain why I would like to sit on the Strathroy-Caradoc Police Services Board and my qualifications for this position.

I have resided in the town of Strathroy for the past six years with my wife and three children. Interestingly enough, this is the longest period of time I've resided in one community, and that is due to choice. My wife and I have strong family values and decided that we wanted our children to grow up in a small and safe community. Having made some life changes involving my career, it was decided that Strathroy fit the bill. I am now settled in this community, and my family is at the age where I can balance my lifestyle to make this important commitment. These days, as a father, I often lose out to the video games, computers, sports and extra activities that pre-occupy my children, so I do have some extra time to give back to my community.

I should point out that I currently serve on the Orchestra London Foundation board, and that I am a member of the London Junior Achievement Business Hall of Fame Committee. I do have the strong support of my family in allowing my name to stand.

I understand that you have been provided a copy of my resumé. You'll note that the circumstances of my employment in the financial services industry and the ongoing transferring process that prevails in that industry have not only created enormous opportunity for personal development and growth but have also created my nomadic background in the past.

After spending a few years in business for myself, I have now returned to the financial services in the community-minded credit union system. I believe that I can make a strong contribution to my community as a member of the police services board, and bring to this role the strong leadership ability that I have amassed from over 24 years' experience.

I have been very effective in the past leading restructuring, improving business effectiveness, building employee capability and commitment, and managing change. I have developed these skills through a variety of progressive leadership positions in the financial services industry, both in Canada and internationally. I've led teams at the retail, regional and head office levels. I've also served as the interim executive director for a non-profit organization and guided them through a bankruptcy crisis.

As a senior manager at the credit union, I have a number of responsibilities, including strategic planning, policy development, budgeting, staffing, goal setting, and meeting our performance objectives. It is my understanding that these are the key responsibilities of the police services board.

While policing and financial services are obviously two different areas, they are, as the name implies, both considered services and, in my opinion, share the same fundamental basis.

In my role at the credit union, I focus on five performance drivers: sales, service, operational effectiveness, risk management, and the development of people. I believe that these are interchangeable across any business or organization.

In terms of police services, I view sales as visibility in proactively building the police image in the community,

especially with our youth. In terms of service, do we respond in quick order, thoroughly and empathetically and, above all, in a professional manner? Are we delivering services effectively through the use of technology, improved processes and searching out and sharing best practice procedures? Are areas of risk and compliance identified and controlled? Are we committed to being the best we can be, as an organization and individually, through ongoing personal development?

I believe focusing on these drivers will ensure ongoing and future success.

My interest in policing can be traced to the fact that my father, Pat King, spent 40 years in the police services, both in England and Canada, retiring in 1993 as chief of police in my home town of Goderich. I always admired the approach Dad took to his position, and the values that he operated within.

Earlier this year, his name was put forth for consideration for the Ontario Medal for Good Citizenship. I had the opportunity to review some of the testimonials he received from peers, the people he served and the people he supervised. What stood out was that he was visible in his community. He took the time to listen, he was fair but firm, always professional, a forward thinker, and passionate about being a police officer. The bottom line was that he earned the respect of the majority of people he served through his action and dedication to his profession.

In terms of my vision of a police officer, I believe my father provides the image that I want my children and the people of the township of Strathroy-Caradoc to know and expect. From a career perspective, I want the brave men and women who have chosen to serve the public as police officers in the township of Strathroy-Caradoc to be as passionate and proud of their profession as my dad was.

My vision will remain strong in exercising my duties. I take this appointment very seriously, and I'm committed to adding value and doing my part as a member of the Strathroy-Caradoc Police Services Board. I welcome the opportunity to answer your questions.

1100

The Chair: Thank you very much, sir. We begin with the third party. Mr Martin.

Mr Martin: Good morning and thanks for coming. Just referencing a note in your resumé that we have in front of us here, you said you were looking for a board position utilizing your proven leadership and change-management capabilities. I'm just interested in why you've agreed to this appointment, and is there anything in it that you think will provide you with an opportunity to use those change-management skills? Are there any changes that you believe are required in this appointment?

Mr King: In terms of that particular skill, managing change, in the financial services, as you're probably all aware, there has been a huge facelift over the last number of years since the four pillars came down back in 1992. So we've had to embrace change, realize that change is

part of our ongoing existence and see it more as an opportunity as opposed to a challenge.

I believe the same holds true in any business, including police services. There will be times when we have to change in relation to what's happening in the environment. For example, when we take a look at the impact September 11 had, obviously the status quo could no longer serve in today's climate. That created an opportunity to change and respond to things that were happening.

In a smaller community such as the one where I reside, there will be change. I guess a lot of people consider that in smaller communities change doesn't happen as rapidly as in the urban centres, but I do feel there will be opportunities to embrace change. For example, on the technology side, I'm aware that there was a new adequacy in standards placed on policing a couple of years ago and I'm sure that has resulted in change in the way things were done in the past. I believe that change will always be part of our everyday life, and moving forward I believe I can help manage that change.

Mr Martin: Are there particular challenges you've identified with this board that piqued your interest, which were one of the main reasons you have chosen to take on this responsibility? Is there anything that needs to be changed in this particular instance?

Mr King: Actually, from what I know of our police services, we have very effective police services in place in our community.

My interest is more around the fact that as a father of small children, and going back to the reasons we moved to Strathroy in the first place, we saw it as a safe community. It's a fast-growing community, and I want to ensure that as we grow as a community we are well positioned to continue to ensure that it remains a safe place to raise children and for our community members at large.

There were no specific challenges that I was aware of in moving forward with this opportunity.

Mr Martin: Just looking at the material that was prepared for us, for example, this police service has applied to the municipality for more money. In fact their request for more money has created some difficulty for them in that it looks like they'll have to increase taxes in the community fairly significantly if they want to respond to it in a positive way. Is that a problem for you?

Mr King: It's not necessarily a problem for me; it's a problem that I see we have to deal with. Obviously, as a taxpayer I don't want to see my taxes raised unduly. But in regard to the budget that was presented—and subsequent to getting involved in this, I'm aware of that—it's actually a 14% increase, which is considered a very high increase. That will be a challenge, obviously, for this police services board. I would hope my experiences in managing budgets and setting budgets in the past would have some benefit for the board in what I can contribute there. But obviously, when you talk about the biggest challenges, it's not necessarily things that are happening on the street. I guess that's the biggest

challenge I see right at this point for the police services board.

Mr Martin: It's been interesting even recently reading some of the comments of the chief of police for Toronto where, after September 11, there were announcements by all levels of government that more money was going to go into security and policing because of the issues that were raised there, yet he's claiming that he has seen none of it. So he's having to go back to his municipality to ask for more money to do the kinds of things that he needs to do.

With that in mind, in terms of your particular policing area, do you have any connections that you could use to get more money into this particular policing service? Are you a member of the Tory party?

Mr King: No, I'm not.

Mr Martin: You're not connected in any way with the governing structure of this province at the moment?

Mr King: No, I am not. As far as connections, I don't really have any.

Mr Martin: You wouldn't be able to help them develop a new channel of cash.

Mr King: I wouldn't say that. My work with the Orchestra London Foundation—that's obviously what we're trying to achieve there, so I do have a number of connections, not necessarily on the political side, in focusing on that end.

Mr Martin: Another issue that has come up since September 11 is this racial profiling, particularly, again, where policing is concerned and who is targeted, who is picked up and how they're dealt with etc. There was a huge exposé of that in the Toronto Star just in the last few months and all kinds of anxiety was created because of that. Any thoughts on that, going into this position?

Mr King: In terms of racial profiling happening in Strathroy?

Mr Martin: Yes: how we deal with it, is it something we should be doing, all those kinds of things.

Mr King: It's certainly something we should not be doing, in my opinion. In terms of it happening in Strathroy, I'm not aware that it is happening and I would be very concerned if it was. Certainly the world has changed since September 11, but we have to remember that there are rights that individuals have no matter what their ethnic background or their religious background. We still have to preserve those, so if there's racial profiling going on, I'm on record that I don't support that.

Mr Martin: Thank you very much. I appreciate that.

The Chair: Now we move to the government party.

Mr Johnson: We reserve our time.

The Chair: No questions from the government party. We move to the official opposition.

Mrs Dombrowsky: Good morning, Mr King. I was hoping you might be able to perhaps provide a little more information about your formal education and qualifications that you have.

Mr King: I don't have a formal education. I entered the banking world right out of high school and I've

continuously developed. I've taken a number of courses over the years and I continue to take courses. As far as having that degree behind me, no, but I do feel that I have a high enough level of education through the experience I have gained through my employment. I just don't have the degree behind my name.

Mrs Dombrowsky: You did make reference to the fact that you are very interested in your community. You are now involved with the community credit union because of your interest in serving an institution that is focused on the community. So I have some sense that those issues concern you particularly. Are you aware of any policing issues for the area for the police services board that you're about to be appointed to? Are there any policing issues that people have talked to you about that would have motivated you, in addition to the other presentations you've made this morning around why you're here? Are there any community policing issues?

1110

Mr King: As far as issues go, we amalgamated a couple of years ago, the town of Strathroy and the township of Caradoc, which is really the town of Mount Brydges. One of the issues I have is that I live in Strathroy and the police department resides in Strathroy, and we also have an OPP detachment. I understand Mount Brydges has a satellite office. I think one of the concerns I would have is the visibility of our law enforcement officers in the town of Mount Brydges and what we could do to improve that.

One of the other concerns I have is around our youth. There's always opportunity to build relationships with our youth and I think there's opportunity as a community to allow more outlets. We recently created a new double-pad arena. Next to it is housed a joint high school venture, with our public and Catholic schools sharing the same facilities. There's opportunity, I believe, to really reach out to the youth and help them, from the policing side.

Going back to my dad, when he was a detective sergeant of the youth bureau with the Oakville police a number of years ago, he created that. What he did there was create a bridge between youth and the police and help educate and understand at a time when, back in the early 1970s, drugs were very rampant. In our community, there is a drug problem with a small number of individuals and there are alcohol problems, and I think that's something where I would like to see more of a relationship built with the youth.

One of the other things that occurs to me is the diversity of our police force. I believe there are about 30 individuals who make up the police force. I'm sure they are representative of our community, however I think there is opportunity there. I do believe that we could look to have more representation from females. Another interesting fact is that we have a high number of seasonal workers in our area, and most of these gentlemen and ladies are from Jamaica. Because they do become part of our community for a period of time, I think we should look at the opportunity to represent those people as well.

Mrs Dombrowsky: When the police services board was formed, was there debate around whether or not your community would maintain its own force or would become part of, for example, the city of London police force or contract services with the Ontario Provincial Police? Was there debate around that?

Mr King: I'm really not sure what debates were around that. When you're talking about opportunities and thinking outside the box, certainly we're close enough to London. I guess it goes back to response time: would that be the right decision? The OPP policing has been tried. That's very effective in a smaller community. I believe we're big enough now that we do need to have our own community police force. From what I understand, with the OPP initially it looks pretty good, but over time it could become a little expensive. So I truly believe that we need to have our own community police force.

Mrs Dombrowsky: Are you aware that there are members of community police forces, officers, who are concerned about the fact that because they are dependent upon municipal approval of their budgets, there are situations when they don't have the equipment that other police forces and officers would have? An example that was presented to me was where a first-response team responds to a call at a residence or place of business or whatever where an individual might be armed, and the folks on the municipal forces are called to respond. In one particular case, the municipal force did not have the Kevlar vests, which are a significant cost item. They are only able to contain the site until the OPP tactical unit arrives, and they do arrive with their Kevlar vests. Of course, the officers who are the initial responders would suggest that in fact their safety is being compromised in order to save municipal taxpayers' money.

I offer that to you for your consideration because there are areas where municipalities are able to achieve savings, but at what price? I don't know if you've been made aware of situations like that, but they have been brought to my attention. So when you consider the costs of operating a municipal force, certainly I think it would be important to understand from you the kind of priority you would place on ensuring that the officers had the equipment they should have.

Mr King: Actually, I'm surprised to hear that there are police forces that don't have the vests, because I assumed that was common—

Mrs Dombrowsky: I'm sorry, not the vests; the helmets. I'm mistaken. There's a particular helmet that the first-response team does not have but that the OPP do, who then come to the site to resume the presence there. They do have them.

Mr King: I don't know about our community, but the safety of our police officers has to be one of the primary concerns. As the son of a police officer, my biggest fear was, "Is my dad coming home tonight?" I don't want to have anybody have that fear because we decided we couldn't spend a few thousand dollars on a particular piece of equipment that's deemed to be necessary.

I don't know whether we have a response team in Strathroy. We have a unique situation in the fact that we

do have the OPP detachment. So again, it goes back to, if such an incident happened and we didn't have that equipment, who could effectively handle that with the equipment? But I would certainly do what I could to make sure that we got the budget for anything to do with safety.

The Chair: That concludes the questioning of our applicant today. We appreciate your being with us, sir. You may step down at this time.

Mr King: Thank you all.

JOHN BROWNLEE

Review of intended appointment, selected by official opposition party: John Brownlee, intended appointee as member, Social Benefits Tribunal.

The Chair: Our next intended appointee is an intended appointment to the Social Benefits Tribunal, Mr John Brownlee. Mr Brownlee, you may come forward. As you are aware by now, you have an opportunity to make an initial statement if you see fit. There will be questioning from members of the committee subsequent to that. Welcome, sir.

Mr John Brownlee: Good morning, Mr Chairman and committee members. Let me first of all apologize for my voice. One of the curses of a politician is that you might lose your voice, and I seem to be in that particular position right now. Hopefully, it will stand me in good stead for the rest of this meeting. I don't know whether it's the air that I've been breathing since coming to Toronto or not that's caused this, but it just seemed to come on me.

The Chair: I think I can say it probably is, but the government members would think I was being partisan if I said that.

Mr Brownlee: I did get it a little bit before I came into the building, but it may be quite true; I don't know. In any case, I have a prepared statement that I would like to read.

I appreciate the committee's interest in me as an intended appointee, and I am delighted to be nominated to the Social Benefits Tribunal. As you can see from my CV, my experience and background are in education, municipal government and community service. In these areas of responsibility, over the years I have attempted to be fair, firm and friendly. I strive to be informed. I'm willing to listen and then work toward what is considered a fair and appropriate resolution to the situation.

I'm proud of the fact that I enjoy the confidence of the community that I've lived in. I've lived in Muskoka for the past 35 years and I've been elected to district and area councils for four terms. People know what I stand for in Muskoka and what I bring to the table.

1120

I have been fortunate enough to be given additional responsibilities and am currently serving in a variety of capacities at both the local and district level in Muskoka. This term, at the district of Muskoka, I am the deputy district chairman, and I am the past chairman of planning

and economic development for Muskoka. In the town of Gravenhurst, I'm presently the chair of planning and economic development. I'm also chair of the Muskoka wharf committee and I'm also the deputy mayor of the town of Gravenhurst.

I mention these responsibilities to underline my ability to communicate, make decisions and understand legislation. These skills, I feel, will be beneficial if I'm recommended to the Social Benefits Tribunal. I'm capable of writing decisions in a concise and precise form and style, which I also think will be an asset.

The appeal opportunity is extremely important for the participant and the government. It permits the applicant to tell the story, be listened to and receive a decision. Permitting the appellant to make a case for why their assistance should not have been cancelled, reduced or put on hold is their right. Ensuring that they have been treated fairly based on the legislation is the responsibility of the tribunal member.

I do understand there is roughly a six-week training session to learn about the legislation and the procedure for decision-making and reporting, which I understand is very thorough and comprehensive. I'm certain, even though I have read over some of the legislation, it's going to be very important to me that I participate in that training program. It's my intention to become extremely familiar with the legislation in order to apply it effectively and to ensure I make appropriate decisions.

I believe I will be a productive and effective member of the tribunal. I hope to receive this committee's recommendation, and at this time I'd be happy to attempt to answer any questions you might have.

The Chair: Thank you very much, sir, and we begin with the government.

Mr Frank Mazzilli (London-Fanshawe): We'll waive the balance of our time.

The Chair: I'll move to the official opposition.

Mrs Dombrowsky: Good morning, Mr Brownlee. I believe you have received the same background information around the role of the tribunal and a bit about its history and how it has evolved. Could I ask you to share with me if you have an opinion about the change that occurred in terms of how individuals who would want to appeal a decision about whether or not they should be receiving social benefits—really, there has been an additional step placed before them. Do you have an opinion in terms of: is it appropriate, is it fair and does it really best serve the needs of the people, particularly those who would be trying to access the tribunal?

Mr Brownlee: I must claim that I don't have a lot of detailed information about that. I am aware that when the tribunal came into existence, there were certain conditions, and I understand one was an internal review that was required in order to have your appeal heard. It seems to me that would probably work in the best interests of the appellant, and certainly anyone judging that, if there was that internal review done in order to have that background information. I don't have enough knowledge to know if that really impedes the process for the appellant or not.

Mrs Dombrowsky: Perhaps I can share with you a perspective that has been shared with me on more than one occasion, certainly by people in my riding and even from across the province, with regard to the internal review. It has been suggested to me that this is yet another layer and in some cases it has been seen as a step that has been implemented to in fact deter individuals from pursuing redress at the Social Benefits Tribunal. I'm sure you can appreciate that in various parts of Ontario—I represent a rural riding. In rural Ontario it can be especially problematic with an additional step, because the review occurs in a social services office usually located in the county seat or the county office where the services are managed.

There are people who would look to be on social benefits, who obviously are in financial difficulty. They may or may not have a car. They may or may not have access to transportation. In my riding there are no public transportation services. They don't have the option of getting on a bus to get there. Their situation might be urgent and yet we have what can be another very cumbersome step put in front of them before they are able to move on to the Social Benefits Tribunal.

For many, in both the field of legal aid and the field of community social service workers, they see that the review team can even be punitive. It's almost, "Well, if you're going to go to the tribunal, you've got to go through this. We're going to make you go through this."

With that background, does that in any way amend how you think about the additional step of the review team?

Mr Brownlee: It doesn't, in the sense that I don't really know that. I'm obviously from a rural riding too, and if there are impediments, then that's not a good thing. It can cause hardships. I suppose that's something that legislation has to look into. I think that's certainly outside of my jurisdiction as a tribunal member to determine that, but I certainly can sympathize with any additional step being put in any of these things that might, rather than expedite it, cause some problems in accessibility to it.

Mrs Dombrowsky: Mr Brownlee, I think it is important you appreciate that the people who would come to you as a member of this tribunal have been subjected to this additional step. Many would ask, and I think fairly, what is the point in having a tribunal if all of these cases are going to be vetted locally first? Really, that is your job to adjudicate that. There has been a decision made locally. If people are turned down, then they, in our system, in our society, have an opportunity to appeal that. But this government, with its change in legislation, has added a step which really usually does not assist them in any way. I think it's important that you would understand that that's not the first time that people who have come to you have had to sit or stand before a group of people to plead their case. I hope you might then appreciate some of the frustration and desperation that can come with that. It's a step that requires time, and in many cases these people are in dire and desperate need.

Are you aware as well that individuals who have been heard by the tribunal and the tribunal has ruled in their favour—so you, as a member, would make a decision that would grant social assistance to an individual—that it can take them up to six months to get to see you? It can take up to six months before they get any money. Are you aware of that?

Mr Brownlee: I was not aware of that. I am aware that there can be some assistance while the appeal process is going on, apparently, from what I've read, but I didn't realize that once an award had been given that it took that long, no.

Mrs Dombrowsky: I would invite you, if you'd be interested, to pursue that. I would think, as a member of the tribunal, you might be interested in understanding how quickly your decisions are acted upon. I would suggest you not just take my word for it but you might want to pursue that, because that may have some impact on how and what you decide at that level. It's a very complex issue. These are issues that come to me on a very regular basis, I'm very sad to report. You must understand that with many of these individuals there are children who are affected very directly by our system's tardiness.

I do want to also ask of you, because we know that in Ontario there are more children living in poverty than in 1995, when reforms in this area took place: does that alarm you at all?

1130

Mr Brownlee: Yes, it definitely does.

Mrs Dombrowsky: Do you think there is any connection between that fact and the fact that welfare rates were rolled back by 21.6%?

Mr Brownlee: I wasn't aware that they had been rolled back that much. The information I have been reading doesn't indicate that to me at all. Once again, I suppose part of that education I referred to on the other issue can be reflected in this as well.

Mrs Dombrowsky: Once again I would invite you not just to take my word for it. I think it would be a very interesting exercise for you if you were inclined to pursue that.

Were you aware that people on Ontario disability support payments have not received an increase in their compensation in about a decade?

Mr Brownlee: No, I was not aware of that.

Mrs Dombrowsky: I do think these are important facts for you to have, because these are the people you're going to be seeing, and it will be their cases that you will be making some decisions about. In my opinion, it is absolutely essential that you would have this kind of background information to perhaps better appreciate the seriousness of the situation they are bringing to your attention. Do you have—

The Chair: That concludes your time, Mrs Dombrowsky. We move to the third party.

Mr Martin: Good morning. I note on your resumé that you are chair of social services, district of Muskoka. Correct?

Mr Brownlee: I was several years ago, Mr Martin. I no longer am. That would have been long ago.

Mr Martin: So you're no longer involved in any way, at this point, with the system that delivers assistance to those who are in need?

Mr Brownlee: No, I am not. I am indirectly in the sense that it's a district function in Muskoka and we do still have a social services committee. I happen to be on the planning and economic development committee. We operate as separate committees. I certainly hear, from reports at district council, what has been transpiring with social services, but I have no input at that stage.

Mr Martin: What is your view, then, of what you are hearing, what is transpiring? Have you developed any opinions or ideas around social assistance and people who are in need of it and what's happening in your area?

Mr Brownlee: I don't have a direct pipeline to that. I do, in various organizations in the community that I belong to, find a number of people who are involved in those organizations through placements and so on, looking for jobs. We utilize that particular aspect of social services. I find that those people seem to be becoming productive members of whatever area they're involved with. So from that aspect I see it going on. When I was the principal of the high schools in Muskoka I certainly had a closer connection with social assistance and seeing the effects of that, but that was a number of years ago.

Mr Martin: As deputy chair of the district and deputy mayor of the town of Gravenhurst, do you get calls to your office or to yourself personally from people who are experiencing difficulty keeping body and soul together?

Mr Brownlee: Very few, actually. It's usually a district function that would be handled through district. I have had one or two people who have had concerns, and we've discussed it and I've tried to get the information for them and make sure they connect with someone at district who can give them an answer.

Mr Martin: Have you ever advocated on behalf of someone that they get what they need?

Mr Brownlee: I've certainly put them in touch with people who know what is appropriate in terms of their capacity for what they can give. Once again, I did that more in high school. I was fairly active in trying to make sure that the kids were getting food and properly looked after. But that function seems to have dissipated over the years, as far as council is concerned.

Mr Martin: When you were with the high school and you confronted kids who perhaps came to school and were hungry or maybe improperly dressed or whatever for the weather, did you form any opinion in your mind as to why people would find themselves in those circumstances and what kinds of efforts those families might be making to better themselves or how we were supporting them as a community to in fact do that?

Mr Brownlee: I certainly did, and we have a number of outreach groups, church groups, community groups and even the chamber in town working toward assisting people who are in difficulty. There's a fairly good pipeline between the educational system with breakfasts

and clothes and so on. So I think in the small community we live in there's certainly a feeling that we've all got to pitch in and help each other.

Mr Martin: Mrs Dombrowsky mentioned some of the agenda of this government, where those who are in need of this kind of assistance are concerned. Over the last few years, there have been a number of other things that have been done that have made the challenge for many, many families in our province that much more difficult. You understand that, in being appointed to this tribunal, for the most part you're the last resort these folks will have to get what they need to keep their heads above water and feed themselves. Are you aware of the child tax benefit supplement clawback by the government?

Mr Brownlee: Yes.

Mr Martin: You are. What's your view of that?

Mr Brownlee: I think it does create hardships in some cases; there's no question about that. I think in some ways, it is appropriate. It's very hard to kind of find out just where that need is and how much of it can be utilized. I don't know a lot about it but I certainly have concerns about it.

Mr Martin: Have you followed at all the inquest in Sudbury into the death of Kimberly Rogers?

Mr Brownlee: I have. I've followed that very carefully and have been very interested in it, particularly in light of the possibility of going on the Social Benefits Tribunal. So yes, I'm aware of it.

Mr Martin: Are you aware of the recommendations that were made flowing out of that just before Christmas?

Mr Brownlee: I am, yes.

Mr Martin: And that the government has decided not to implement those recommendations, even though they were made by five non-partisan jurists who spent five weeks listening to evidence surrounding that particular circumstance? As a member of the tribunal, would those recommendations in any way affect your judgment in front of a family who would present, or a woman, in the case of Kimberly, who would come, pregnant and looking to keep body and soul together?

Mr Brownlee: Certainly, I have a lot of sympathy for that situation, and I think the more you look into it, the more you just wonder how something like that could happen. She did receive a court award, as I understand, for enough money even after that particular suspension of her social assistance. So she was in a position before she died to actually have some money, albeit it didn't seem like a lot of money, that's for sure. Yes, I'm certainly sympathetic to that. I just don't know what, as a tribunal member, one could do, since you are fettered in part, or assisted, or whatever the term is, with the legislation. But I think somehow there has to be an answer for that. I guess in so many things, Mr Martin, you can't cover all the bases on these things, and I know that possibly isn't good enough, but that unfortunately seems to have happened in Ms Rogers's case.

1140

Mr Martin: Just to clarify for you and perhaps for people watching, after Ms Rogers appealed the ban on

collecting assistance and indicated she was going to launch a constitutional charter challenge to that, she appealed and her assistance was reinstated. She got the usual amount for a single person, which is \$529 a month. After they took off the clawback of the student loan she had gotten to get herself through school and paid her rent, she actually had \$18 left to buy food for herself and to support the child that was inside her.

It seems to me that there are certainly programs that government delivers where I don't think we have much choice but to say that sometimes people fall through the cracks and sometimes we miss something or make a mistake. In this instance it seems to me that when we miss something or make a mistake, we put some lives in jeopardy—we put the lives of many children, those who are most at risk and vulnerable in our community, in jeopardy. It's really important that those who serve on these boards understand that, and I get a sense that you probably do. I think that if you have paid close attention to the Kimberly Rogers inquest and inquiry, as you have indicated, then you at least had an interest in that and will understand the tragic consequences of not making the right decision or of government not being there.

I believe very strongly that one of government's most fundamental responsibilities is to look after those people and things they have jurisdiction over that are most at risk and vulnerable. In this instance, we're talking about people; we're talking about our neighbours, our friends and sometimes our family members.

Are you a member of the Conservative Party?

Mr Brownlee: Yes, I am.

Mr Martin: As such, do you support the approach they've taken in dealing with people who fall through the cracks or who become poor or lose their jobs or are out there at the mercy of the system?

Mr Brownlee: Well, I support some of the areas they've gotten involved with. I think that's been important in terms of looking at social assistance more closely than it's been looked at before. But there are some hardships that I feel could be avoided, and I'm not sure just how one does that through government. I think probably the best way is through communities and through caring people in those communities, and I know that's something that is very much a question.

Mr Martin: Yes, but it takes money—

The Chair: It's nice to see you continue, but I think you're out of time. I regret very much that just when we get going on these interesting things, we always run out of time. Thank you very much, sir. You may step down now.

What we're going to do—I've discussed this with members of the committee, representatives of the three parties—is deal with the morning intended appointees now. That will shorten our time at the end of the day.

I will now go to those and entertain motions. The first would be a motion on James Crossland, intended appointee as member, Cancer Care Ontario.

Mr Johnson: I'd like to move concurrence on James Crossland.

The Chair: Mr Johnson has moved concurrence. Any discussion? If there's no discussion, we'll have our vote. All in favour? Opposed? The motion is carried.

The second is Lynn Beyak, intended appointee as member, Council of the College of Massage Therapists of Ontario.

Mr Johnson: I'd like to move concurrence on Lynn Beyak.

The Chair: Mr Johnson has moved concurrence. Any discussion? If not, all in favour? Opposed? The motion is carried.

Next is Michael King, intended appointee as member, Strathroy-Caradoc Police Services Board.

Mr Johnson: I'd like to move concurrence on Michael King.

The Chair: Concurrence has been moved by Mr Johnson. Any discussion? If not, I'll call the vote. All in favour? Opposed? The motion is carried.

The next one is John Brownlee, intended appointee as member, Social Benefits Tribunal.

Mr Johnson: I'd like to move concurrence on John Brownlee.

The Chair: Mr Johnson has moved concurrence. Any discussion? If not, all in favour? Opposed? The motion is carried.

That completes our intended appointees for this morning. The committee is scheduled to be back at 1 pm sharp, as we always say in the chair, to commence the afternoon activities. We go from 1 pm, potentially, to the last intended appointee at 4 pm. However, we realize that things do change in terms of the time along the way, so I will take that into consideration.

I'll ask for a motion to recess.

Mr Johnson: I move that we recess until 1 o'clock.

The Chair: Mr Johnson has moved that we recess until 1 pm of the clock today. All in favour? Opposed? Motion carried.

The committee recessed from 1146 to 1306.

The Vice-Chair (Mr Michael Gravelle): Good afternoon. We are going to resume the deliberations of the standing committee on government agencies.

MARY FICKEL

Review of intended appointment, selected by official opposition party and third party: Mary Fickel, intended appointee as member, Niagara District Health Council.

The Vice-Chair: We will move to our next appointment, Mary Fickel, who is an intended appointee as a member of the Niagara District Health Council. Ms Fickel, if you could come forward and seat yourself at any of those chairs, that would be fine. You have an opportunity to make an opening statement if you'd like, and then we will have some questioning from all three parties, beginning with the official opposition. Welcome to the committee, and please feel free to go ahead.

Ms Mary Fickel: Good afternoon and thank you, Mr Vice-Chairman and members of the committee, for this opportunity to outline my background and experience in

the health care field which I would bring to the Niagara District Health Council.

My involvement with health care began in the late 1950s, when I was a member of the team performing heart catheterizations at Hamilton General Hospital. I took the samples, analyzed them and reported the results, from which appropriate treatment was initiated. In 1974, I resumed my medical technology career and, in 1975, became educational coordinator for the clinical year medical technology students at Niagara Falls general hospital. The program at that time had a provisional accreditation with a review pending. It was my task in the next two months to develop a curriculum, including schedules for the clinical rotation and department lectures. When the committee returned for the re-evaluation, we were granted full accreditation.

In the 1970s and 1980s, I was invited to become a member of the conjoint committee for the accreditation of educational programs in medical technology for the Canadian Medical Association. As part of the team, we were involved in the accreditation of New Brunswick Community College, Michener Institute in Toronto, Lambton community college in Sarnia and Dawson (CEGEP) College in Montreal. While I was a member of the executive of the Ontario Society of Medical Technologists, I worked with the team formulating bylaws for the formation of the college of medical technology. In 1988, I was presented with an award of appreciation for this work.

I became a CPR instructor-trainer in 1979, helping to train the nursing staff at Niagara Falls general hospital. In Fort Erie, I was part of a team of three training the firefighters at the six fire halls, with recertification every year.

I became a volunteer for the Heart and Stroke Foundation of Ontario in the late 1980s as health promotion representative for the area including Kitchener, Brantford and Niagara. When the area was redefined, I became the representative for the volunteers of the 10 chapters in the Niagara area on the provincial development committee in Toronto. I attended their monthly meetings, working to develop a meshing of the chapters to form a team working together in the area. In three years we had become a successful team and were awarded the Luke Vanneste provincial award. I was the recipient of a distinguished service award in recognition of my efforts.

When this term of office was over, I continued to be a speaker for the organization at service clubs and civic organizations, outlining the causes of heart attack and stroke and the ways of prevention.

When the Heart and Stroke Foundation was preparing to bring their stroke initiative to the provincial government, I organized a breakfast meeting with the MPPs in the Niagara area to present the information on stroke and on how early intervention could reduce the health care costs. For those who were unable to attend, I hand-delivered the information to the constituency offices.

After I retired, I became a first-aid instructor for the Canadian Red Cross. I teach at the St Catharines branch.

I am a member of the Niagara Falls International Service Committee of the Canadian Red Cross.

With the knowledge I have gained working and volunteering in the health care field, I would like to join the team and be a contributing member to the Niagara District Health Council.

The Vice-Chair: Thank you very much, Ms Fickel. We'll begin the questioning with the official opposition. Mr Bradley.

Mr James J. Bradley (St Catharines): Naturally, being from the Niagara region, I have some specific interests in specific issues that are arising that may be common across the province but somewhat specific to Niagara in terms of my interest.

The first is, you would be aware of the acute shortage—and what could become a chronic shortage if allowed to do so—of family physicians in the Niagara Peninsula, and certain specialists as well. What activities do you believe the Niagara District Health Council could undertake to ensure, first of all, that we retain the physicians that are there, and second, that we can attract new family physicians and specialists to our part of the province?

Ms Fickel: I certainly do understand the problem in our area. The council, I think, through their guidance with the different associations, the groups that they have working under them now, would look at the formation—I'm talking especially about Fort Erie now, I must admit—of those walk-in clinics. I find they do relieve a great deal. If I had a walk-in clinic, I wondered if it could be possible that they could have it from 8 in the morning to after-hours at night, with nurse practitioners. They're very good; they're well trained. Then for the drugs that you have to give, you could have a doctor oversee those and come in. But it might relieve the emergency wards and also the patients who really need the care but there's a waiting list for the doctors now.

I think that might help, but it would be under the council's guidance as to where they went and how you developed them.

Mr Bradley: The problem is that you can have all of the walk-in clinics you want—and some of the established and long-term physicians curse the walk-in clinics, because they will say, "I have to go to the hospital and do my visitations there. I still do house calls. I spend my 60 or 70 hours a week working very hard, and I have to follow the patients, and perhaps even the patients' whole family, on an ongoing basis. I have to keep the records. I have to keep the continuity." If they show up at a walk-in clinic, there isn't necessarily continuity there. Certainly people are happy to see that they're available, because there isn't another option. I guess I'm trying to deal with how we retain full-time family physicians and recruit full-time family physicians to places such as St Catharines and throughout the Niagara Peninsula.

Ms Fickel: Years ago, one of the established doctors in our town would bring in new interns, new people who had just started. Once they got established, they used his facilities, so it relieved their costs when they had to pay

back their loans. Then when they developed their own nucleus of patients, they would move out. They all stayed in town with this nucleus of patients. This is one way this doctor used to do it. We used to get physicians in town that way.

At the moment, Niagara Falls General is not designated as a teaching hospital. Perhaps if we could bring interns in so that they got used to the area, they saw what the area provided, what they could contribute, they would stay rather than leave. It would be a way of bringing them into our community at the time, to get them familiarized with our community.

Mr Bradley: I recognize this is a multi-faceted challenge we have to meet, and within a 10-minute allocation it would be difficult for us to find all the answers. But if you are confirmed by the committee, my urging would be that one of the high priorities you would deal with would be trying to find ways of bringing new physicians into St Catharines and Niagara and retaining the present ones.

The second issue is ambulance dispatch, which, if I could give an editorial opinion, is a disaster at the present time. We have ambulances going to the wrong places. We have people who, it is alleged, have died and others whose conditions have been worse because ambulances have not arrived in time. The government had a report that they hid for six months—wouldn't show anybody for six months—on how bad things were with the central dispatch out of Hamilton.

The regional municipality of Niagara has asked, and I have supported them in this, to have control over dispatch in Niagara with people who know Niagara to reduce the risk of those problems. Would you support the, shall we say, repatriation of ambulance dispatch to the Niagara region and taking it out of Hamilton?

Ms Fickel: Yes, I definitely would, because I have seen it myself, especially being in Fort Erie. I have seen the lack of ambulance service there because of the dispatch. If I'm not mistaken, it used to be dispatched out of Niagara Falls years ago and it was very successful. Yes, I certainly agree. I think it should be brought back into our area.

Mr Bradley: The conditions under which people work in the central dispatch in Hamilton are dreadful. So that's a problem.

Mental health is another major challenge everywhere in the province. Certainly in the Niagara region I have received representations from people who are concerned about mental health who say we need far more services, far more attention to it, and who would like to inform everyone in the world that we are not a suburb of Hamilton when it comes to mental health but we do have our own challenges to meet.

What do you see in terms of additional funding and resources available for mental health patients in Niagara?

Ms Fickel: There's a study going on at the moment, and I think they will show we definitely—again, that also relates back to the lack of psychiatrists, of specialists when you're talking about doctors. That's a related cause as well. Yes, I feel that people sometimes have a stigma

about mental health, which is a sad, sad state of affairs. They shouldn't have it. They should be willing to say there's something wrong. We need to have a better handle on how many people really are ill, because I think there are a lot more than we have any idea of, and it's based on the government seeing how many really ill people we do have so they can get a better handle on how much money could be appropriately sent down to our area to help them out. We need housing for a lot of them—they don't have housing—and again medical attention, services where they can go in and get mental help. I would say that if you had a study that proved statistically that there is a greater need in our area than actually appears at the moment, it would help if it was presented to the government.

Mr Bradley: Nursing home patients were hit with a huge shock last year that said they were going to have a 15% increase in the per diem they pay. For some it would be well over \$200 a month. After relentless pressure from the opposition in the Legislature—I know the government members all agree with that—and from others in the community, the government sounded the bugles of retreat and went to 7.5% to be imposed over three years.

You recognize how many seniors there are in Niagara and how vulnerable those people are. Do you think it is fair to impose increases that are above the rate of inflation on senior citizens in our nursing homes?

Ms Fickel: I think you have to take into account that a lot are on a very fixed income and it would have a tremendous impact on their ability to pay for the homes if the percentage was put up too high for them.

The Vice-Chair: Last question, Mr Bradley.

1320

Mr Bradley: Last question. You're doing what I do to you. I'm usually the Chair and I do this to the Vice-Chair.

Traditionally, although some would quarrel with this, health councils, at least in years gone by, have been relatively non-partisan. In other words, the suggested appointments come up from below, from the people involved with the district health council and so on, and then are confirmed. Do you think that is superior to appointments which are made based on the affiliation of people?

I remember when I was part of a government, the government of the day was angry because they couldn't make these kinds of appointments, obviously. They wanted people on but they said it was traditionally non-partisan. Do you think that's a superior approach to simply appointing people who are close to the government?

Ms Fickel: Yes, because for myself, I wanted to give back to the community what I had learned and what I had gained through the health care field in my work. To me, why I should do this wasn't politically motivated; it's because I wanted to give back to my community. I think appointees should really be: what can they give to the council or what can they give to any council that you're looking at to most benefit the community in which they live?

Mr Martin: Thanks for coming today and putting your name forward. I want to continue on the train that the member for St Catharines just opened up, which is this whole issue of the role of the district health council. It has changed dramatically. When I first got elected, it was a major force in the community. There were all kinds of health issues and there had been for a long time. The district health council used to be the broker, working with the various groups—community groups, stakeholder groups—trying to prioritize and then send that message to the government re “Here's what we in the community think is needed and here's where we think the money should flow,” and all that kind of thing.

In the last few years, since the reorganization of this and the bigger areas that are covered, I just don't understand the role any more because we don't hear anything.

My first question is, why would you want to be part of a board that, from my experience, does nothing?

Ms Fickel: Looking in my own area and the different initiatives they've taken, I really feel that they are working toward the betterment of my community and my area.

Mr Martin: Maybe you can explain to me what they're doing in your area, because I don't know what they're doing in my area.

Ms Fickel: One of the committees is physician recruitment. They're looking at that to help us out. They're also looking at mental health issues and mental health housing. One thing they're doing which I think is very good in our area is looking at the French language, finding in Welland and Port Colborne places where the French-speaking people may go and converse in their own native tongue, their own mother tongue, which they feel more comfortable in. That's a very important issue in our area. Long-term beds: we've just opened a new one, which I think is wonderful.

For our area, our health council has, through the different committees, been working for our area very well.

Mr Martin: So they've made recommendations to government and government has acted on those recommendations?

Ms Fickel: They have made recommendations, yes.

Mr Martin: Has government acted on those recommendations?

Ms Fickel: In the long-term-care one, yes, they did, because we got that new facility, which was badly needed.

Mr Martin: That new facility is run by whom?

Ms Fickel: It's a government one; an appointed person runs it.

Mr Martin: I listened to your responses to the questions from the member for St Catharines. You feel, then, that your district health council is listening to and responsive to the local community and local needs and they're forwarding the concerns up and that's why you want to be a part of that?

Ms Fickel: That's right.

Mr Martin: That's commendable. I hope you're successful in that, because it is certainly needed. There isn't an area at the moment that is garnering the kind of attention that health care is. There's a huge debate, flowing from a lot of places but in particular from the Romanow report and the Kirby report, on how health care should be delivered in the province and where the resources should come from.

Those of us who believe in a publicly funded, publicly delivered health care system and continuing to move in that direction are concerned that we might turn too much over to the private sector and eventually create, perhaps by default, a two-tier system. So I'd be interested in your thoughts, given that this is a group that looks at public health and health in general, where you think we need to be going as a province in the delivery of health care, considering the Romanow report.

Ms Fickel: We need to keep, still, our own public access to health for every person in the province. To go to a two-tier system I think would be very disastrous for some people. I know that Mr Clement had gone over to Britain a year ago or more to look at their system. Although I did ask for one, I didn't see a report of their system, but I know from personal experience over there that the two-tier system isn't that great. I would hate to see that happen in our province. I think a lot of people would suffer if it went that way.

Mr Martin: Certainly, in listening to the present provincial government, you get the feeling that in order to find the resources necessary to continue to grow the system and make it responsive and cut back on the waiting lists etc, we need to find another way besides putting more public money or public dollars into the system. Romanow and Kirby both suggested that there were significant resources lacking and that we needed to put them in. The present government has been more interested in giving tax breaks than actually funding some of the public systems that have been in place and that we need.

Ms Fickel: I understand that.

Mr Martin: Are you a member of the Conservative Party?

Ms Fickel: Yes, I am.

Mr Martin: Does your membership in that organization mean anything to you in terms of what you would support and how you would speak or what you would recommend in terms of the discussion that will happen at the table of the district health council?

Ms Fickel: My concern is for the patient, the best for the patient, and that's what I would speak to. If it happened to coincide with what the current government is proposing, then I would do that. If it was going to be the best for every patient and every person in Ontario, then I would support it. But my basic thing is to go in from my community, to make sure my community is well looked after, that we have the services and that we can look after our people in our area.

Mr Martin: Do you think the program that has been rolled out so far in the last seven years, and where we are

now in terms of some of the waiting lists and the difficulties and shipping people to the States for different procedures, is good?

Ms Fickel: Waiting lists are not good; no, they're not good. I think it has snowballed, quite honestly, with the health care field. Because you don't pay, there are more and more things that can be done, and then our resources—I'm talking about doctors now. I'm not talking about money; I'm talking about our resources and the equipment we have, which are not able to keep up with that load. So I think this is what we have to look at. We have to look at what we have and then try to maybe prioritize some of the waiting lists at the moment to see if we can't handle this and work it out. But I think it's something we have to work on very hard.

Mr Martin: OK. Thank you.

The Vice-Chair: Members of the government, any questions?

Mr Johnson: I just wanted to thank Mrs Fickel very much for letting her name stand for this very important position. I'd like to just thank and congratulate you for the work that's ahead of you.

Ms Fickel: Thank you very much, sir.

Mr Johnson: And we'd reserve the rest of our time.

The Vice-Chair: Thank you very much, Ms Fickel. We appreciate your being here.

Ms Fickel: Thank you very much, everyone.

1330

MARC CHARRON

Review of intended appointment, selected by official opposition party: Marc Charron, intended appointee as member, Northern Ontario Heritage Fund Corp.

The Acting Chair (Mrs Leona Dombrowsky): At this time, we will hear from Mr Marc Charron. Mr Charron is an intended appointee as member of the Northern Ontario Heritage Fund Corp.

Mr Charron, welcome. You have an opportunity to make some comments, up to 10 minutes. If you would like to be seated, we would be happy to hear from you.

Mr Marc Charron: I'll start off by saying thank you, Madam Chair and members of the committee, for having me appear at this examination in consideration of the appointment.

I'll give you a little bit of background on myself, tell you a little bit about myself. I was born in North Bay in a French-Canadian family. I spent my early years dreaming of leaving and exploring greener pastures. I acquired a taste of Canada and the diversity of its regions by living and working in southern Ontario, Quebec, northern Quebec, Labrador, Saskatchewan and Alberta.

After being away for several years, I returned to appreciate what I had left. I am a northerner. I came back to work at my food distribution business. I worked at it for 15 years. In that business, I basically sold to northern Ontario, so I visited all of northern Ontario on a monthly basis. I travelled from North Bay to Thunder Bay and visited every community in between every month for all

those years. I even travelled to places like Moosonee and Moose Factory on a less frequent basis. I called on the grocery stores and the convenience stores in the large and small communities on a regular basis, and I learned much about the people and the flavour of the communities. Most of these people are French, and my background helped me to relate and understand the region.

I have driven in the area and I know the roads. I have flown myself into most of these communities and I know the aviation infrastructure. I have even snowmobiled throughout northern Ontario. I've been to all these cities even on a snowmobile and I know the trails. I know the north; I know the people of the north.

Later in life, after getting out of the food business, I purchased a hotel in North Bay and became involved in tourism. I learned a new industry. One of the first things I was part of was a strategic partnership. We developed what we called a market share group, the Blue Sky tourism market share group, where a bunch of partners came together and made a strategic alliance with the idea of marketing the region. We worked at this and we had some pretty good successes at that. We put a lot of money into marketing for our region and, like I say, we did see some successes.

I've been involved with snowmobiling, obviously. I chaired the snowmobile advisory committee for a couple of years. I'm still part of that committee; I stepped down from the chair a couple of months ago. I'm part of the Discovery Routes trails association, which is a branch of Trans Canada Trails. I'm involved with those trails as well.

I've been a member of the chamber of commerce for many years. I've been a director for a couple of years. I've been involved in and have sat on the committees of tourism and of economic growth. Those are the areas of interest for me within the chamber. That's what I want to see. Those are the things I like and that's where I feel I can make a difference.

I am also a Kiwanian. I sit on the board of directors of Kiwanis. This is my second term. I was the treasurer for the Kiwanis Festival of Music and Dance for a couple of years, and I'm still sitting on that committee.

Business experience: I like to think of myself as a person with business acumen. I've successfully operated three businesses. I know a good business decision and can make a good business decision. I bring that private sector thinking to everything that I sit on or get involved with. I have a nose for what's going to work and what won't. I can read through a business plan. Sometimes a business plan has all the i's dotted and all the t's crossed and you look at it and you say, "This is a wonderful thing," but if the fundamentals of the business plan don't work, and one plus one doesn't equal two, it equals three, you've got to figure that all the other pieces won't fall into place. If you find something like that, usually that's money that goes to waste.

I'm a fiscal conservative and I understand the concept of picking up nickels and the cost of wasting those same nickels. If you don't know how many nickels are in

\$1,000 or in \$1 million, and you invest \$1 million, chances are you're going to have some less than stellar successes and a good chance of it being wasted if you don't understand what makes up that big sum of dollars. Every investment should have a return. Some people think this kind of investment, when you're into this kind of stuff, should not have a return, but it should have a return. I think everything should have a return; maybe not a direct monetary income return, but there's got to be some way of gauging a return on it.

Basically, to summarize my skills, like I say, I know northern Ontario. I speak the language. The language of northern Ontario is the French language. I know tourism. I understand trails. I mentioned snowmobiling. I've put thousands and thousands of miles on snowmobiles. I've done it through three provinces, even into the States, all long-distance travelling. I love dirt-biking. We do a lot of that in our area. My backyard is good for that. We have a big backyard where I live. Bicycling, rollerblading, walking. We have walking trails. That's part of the north. That's what makes up the quality-of-life thing in the north.

I have a knowledge of transportation. In my distribution business, I was involved in trucking and transportation. I've been flying for almost 30 years and I have a good grasp on that. Boating as well is something I've done a lot of and it's something I understand.

My business background, the fiscal conservatism that makes me up—I understand about accountability; I understand about return on investment. I understand about the importance of focusing on core business; understanding and being focused. If there is a business, then there's something that makes that business, and you can easily get sidetracked by other stuff on the outside of the core of the business. It's important to not get out of focus. Sometimes people get focused on infrastructure and then you see the desire to build monuments and legacies. That's something I don't believe in.

That's basically what I'm made up of. Like I said, thank you for hearing me and thank you for considering me.

The Acting Chair: We will begin questions with the NDP, please.

Mr Martin: Thanks for coming today and for your interest in the economy of northern Ontario. As you know, I'm the member for Sault Ste Marie and I know all too well the difficulties the north has had over the last five or seven years, given that our population has declined. I know that every city in the north, particularly my own, has dropped in population significantly, and many of us are wondering.

I read last night on the way here the latest edition of Northern Ontario Business. Some of the folks there are still asking the question why, in such good economic times—and there's nobody who will deny that the province's economy in the last five to seven years, particularly in southern Ontario and some of the bigger urban areas, has done well—areas like the north have not

done equally as well. Do you have any idea why that would be?

Mr Charron: There are probably a lot of factors that you could attribute it to. I think natural resources—basically, the border to the south of us has put up big barriers to natural resources, and natural resources are a big part of northern Ontario. So those sectors have been hit very hard over the last decade, whether it's mining or forestry. That's where the wealth of northern Ontario has come from over the last 20 or 30 years. A big part of the wealth in northern Ontario, as you know, has been natural resources.

Mr Martin: Over the years governments, recognizing that fact and the fact that a natural-resource-based economy is cyclical in nature at its best, put in place a number of vehicles: the Northern Ontario Transportation Commission—as a matter of fact, the Ministry of Northern Development and Mines was put in place. John Lane, the Conservative member for Algoma-Manitoulin for a number of years, fought hard to have the Ministry of Northern Development and Mines and the NOHFC put in place, to be there to take the ups and downs and stabilize that economy significantly. I guess I'm wondering: do you know the history of the NOHFC and why it was put in place and how it operated, particularly in its early years?

1340

Mr Charron: I've followed, from what little information I've had, like from the Web site and that kind of stuff, but basically, my understanding is, it is basically an equalizer for the differences, say, between northern Ontario and southern Ontario; to preserve northern Ontario and to preserve the populations and the lifestyles in northern Ontario, make them more on an even footing with southern Ontario.

Mr Martin: Yes, a bit like the heritage fund in Alberta, which was there to sort of return some of what was taken from the north by way of the wealth that was added to the resource that we shipped south over the years so that we might stabilize what we're doing and create some confidence in some investors who come in and actually set up other industries.

Some suggest, and I'm meeting with our own chamber of commerce tomorrow morning to speak to them, that some of those vehicles have been either taken away or so dramatically diminished that they're no longer useful. So I'd like your comment on that.

I know, for example, the Ministry of Northern Development and Mines is a shell of its old self. If you go into any of the offices that used to exist and now exist—the NODC, the Northern Ontario Development Corp, is gone. The Ontario Northland Transportation Commission—the last pieces of that are now out there being picked up by other mostly private sector interests. For example, norOntair, which used to serve all of northern Ontario to give a lot of the more significant communities access to each other and to the south, was taken away. It was suggested at that time that the private sector would come in and pick that up, but they didn't. It

was one of the vehicles of the transportation commission that's not there. In your own community, there's a group that is very concerned about what's happening to the rail service between Toronto and Cochrane and, ultimately, Moosonee.

Why would the government, given that we who live up there and try to work up there and represent that part of the province all know the importance of these vehicles—any idea why they would have diminished them so significantly, or in fact in some instances taken them away?

Mr Charron: Well, no, but I would imagine the cost of it. It's one thing to provide a service, but when the cost becomes exorbitant, when you get a government-subsidized organization, it seems to cost a lot more to provide a service than when you have a private sector organization doing it. You asked why the private sector didn't step up; in certain instances it did, but economic feasibility I would say was probably the main reason.

Once you establish a series of subsidies and ongoing subsidies to create a problem like ONTC, the rail problem, basically the cost is too much, so you have to be able to provide that same service with a private sector mindset where you don't get a loss of money or you don't depend on a massive subsidy every year to sustain it.

Mr Martin: Yes. And I guess there are different ways of measuring cost. There's the actual upfront cost, but then there's the long-term overall cost of not having business because you don't have those pieces of infrastructure in place. If you can't get your product to market, if you can't travel quickly in the economy we're now living in, you're forever behind the eight ball and you'll never get anywhere. We're into recession big-time in the north. Anybody who lives and works up there recognizes that.

Next question: do you think it was smart to eliminate any capacity of private sector interests to access funds from the NOHFC to expand their operations or to restructure their finances or get into another line of business or actually attract new business into communities?

Mr Charron: Sorry, what's the question?

Mr Martin: The question is, do you think it was a good idea to eliminate from the criteria for application to the NOHFC, which is the board you're going to be appointed to, that a private sector entity can no longer apply, a business can no longer make application to that fund?

Mr Charron: I think they're looking for strategic partnerships to resolve that. You talk about the rail service. I was privy to Canadian National—a bit of information, a bit of their presentation—and what I was told there is that they take 31 cents down to the bottom of the page. If they take 31 cents down to the bottom of the page and they're interested in providing a service in northern Ontario, to me that is sustainable. If you have another organization that is not running efficiently because they're used to having a gazillion-dollar subsidy every year, I don't see that as being sustainable.

Mr Martin: Well, then, I would suggest that perhaps the north isn't sustainable, because we've discovered—it was actually Conservative governments in the 1960s and 1970s who decided they needed to put in place things like the NOTC, the NOHFC, the NODC and the ministry to stabilize the economy up there. If you take that away or suggest for a second that the private sector is going to come in and pick that up, I think we're going to be badly served. I'm concerned that we would be appointing somebody to this board who would be of the mindset that there's no need for this any more.

Mr Charron: I never said there was no need for it, but I think there's got to be long-term sustainability. The efficiencies aren't the same when you have a public sector organization and you guarantee them a subsidy to operate. I think that's kind of an incentive not to be efficient.

The Acting Chair: That concludes your time, Mr Martin. We move to members of the government. You have three minutes.

Mr John Hastings (Etobicoke North): Thank you, Mr Charron, for coming in. It's been an interesting dialogue, or whatever you want to call it, between Mr Martin and yourself about the model of ongoing subsidy versus a more market-driven approach where it's feasible.

I'm wondering—you've lived in northern Ontario all your life; you've been in business—what kinds of things you think are doable in your capacity, if you are re-appointed to this body, that could help the north. You may have some combination of market-driven approaches for getting more jobs and growth—I see you're on the chamber of commerce in North Bay and on other like-minded groups for a number of years.

Mr Charron: Well, when you talk about the ONTC, I think that's something that's going to go on its own without the subsidy. Basically, the government stepped in and said, "We can still run this without subsidies." It's not going to disappear; it'll operate. If it needs them, the subsidies will go back, but I believe on a different level. A lot of the goals of the NOHFC are good goals. I believe in the north.

Mr Hastings: What specifically do you think we could be doing that we aren't doing? You mentioned, for example, biking. Do you think you could develop a biking festival or—

Mr Charron: Well, development of trails is big. It's a tourism venue. You know, the whole trail thing is economic. It's quality of life, which opens possibilities for economic growth, which leads to possibilities for tourism. Tourism is a big venue in northern Ontario, something that needs to be developed. It's something we have under our noses and don't know it's there.

People from elsewhere come into our area and are looking at things we don't even know we have. Just this week, we were part of a group that we worked with that is looking at an eco-challenge, basically trekking and biking. It's a tourism venue that's under our noses, and if nothing else, we have to put up a billboard and say we have it and put up a map to show where it is.

Mr Hastings: Where do you think your tourists would come from—more tourists—in-province, in-Canada, rather than the US?

Mr Charron: You've got both. You've got southern Ontario. We see a lot of tourism. For instance, snowmobiling is a billion-dollar industry in Ontario, and basically there's not a whole lot of snowmobiling in southern Ontario. So we're basically set up to receive a lot of that business. Developing a bridge that opens a trail is a little bit of money that goes a long way to creating an infrastructure of snowmobiling that will draw tourism.

1350

Where do those people come from? You get some from southern Ontario but you get a big number from the northern states—New York state, Michigan. We're getting calls all the time from Pennsylvania and New Jersey. These people love to snowmobile and they don't have sustainable weather down there, so they come and they bring big wallets. They bring those American dollars and when they change them over, they've got lots of money.

The Acting Chair: I'm sure your remarks would be very worthy, Mr Mazzilli, but I am slave to the clock. I'm sorry, your time is concluded.

Mr Mazzilli: Considering we've waived all of our time—

The Acting Chair: Mr Gravelle, you have 10 minutes.

Mr Gravelle: Thank you very much, Madam Chair. Good afternoon, Mr Charron, and welcome. There are a number of questions I'd like to ask you. Certainly, in that you are obviously a northern Ontario business person who has been in a variety of business pursuits over the last 15 or 20 years, I do think you're an interesting person and potentially a very good person to be appointed to the heritage fund. But it does take me back to a point that Mr Martin was making, or at least moving in that direction, related to the private sector. Again, as somebody who has been in the businesses that you've been in, do you think there should be a portion of the heritage fund that should be open or available to private sector operators?

I would certainly make the argument and have made the argument that in northern Ontario, particularly in the smaller communities, there are some real challenges being faced by northern businesses and they could use the assistance of the heritage fund in a variety of ways. The private sector has greater challenges in the north. Therefore, at the very beginning of the heritage fund, the intent was basically to increase job creation. It was really about job creation.

Have you thought about it and are you conscious that at one point the private sector was able to make application to it in a certain proportion? Perhaps you could think of your own businesses, as to whether or not you would have sought it.

I appreciate there are lots of reasons why it had to be carefully handled, because I recall in the past we didn't want to be providing financial help to a person opening

up a business across the street from somebody who already had that business.

But anyway, do you feel the private sector should be or could be eligible for funding from the heritage fund?

Mr Charron: I'd need a little bit more information. Like I say, I haven't been privy to the discussions that have taken place over the last decade. I'm sure there are good reasons why these changes were made, and I'd certainly want to be privy to some of that before I pass an opinion.

There are certainly possibilities of abuse there and it may well be one of the reasons that that was eliminated. I don't know what they are, so I don't think I'd be in a position really to give an opinion on that.

Mr Gravelle: I'm a little surprised that you haven't got an opinion on that. Again, as a businessman, I would have thought that you would have had some thoughts on it. I give it a lot of thought because I speak to a lot of business people who really, I think, with some assistance, could create many more jobs. There are situations that are so specific to the north. Mr Hastings was asking about how it could be improved. I know all the members on the government side are interested in this as well, because obviously this is an important and very specific fund.

Let me ask you something else, which may be difficult in light of your previous answer because you may not have the information on it. Another frustration that I tend to have with the heritage fund—and it's a peculiar one because I don't want to be too critical of it, but here's what it is. It has moved toward now being a funding agency, for example, for health care facilities, for getting an MRI in communities. It seems to me certainly that the whole intent of the heritage fund was to provide funds that were separate from that. In other words, what I think is happening—and I think quite frankly the Minister of Northern Development and Mines shares my concerns. I asked him this question in estimates. When you get an announcement that \$1 million is being provided to help get an MRI in northwestern Ontario, I say, "Thank you very much, that's great. Glad to see that we're getting the MRI; it's important." But it seems to me that funding shouldn't be coming from the heritage fund; it should be coming from the Ministry of Health or whatever appropriate agency. So I'm afraid the heritage fund is being used to some degree as simply a top-up fund for other ministries.

It goes for infrastructure funding as well. Since we've seen the downloading to the provinces, we're seeing various—drinking water safety; we're seeing a lot of the fund being used for that, and that concerns me. If you're familiar with it, I'd love a response to it. And if you're not, I'd love you to think about it. My concern truly is that somehow the fund is no longer being used for its original purpose, which is to create jobs; it's being used more now because the lead ministries, whether it's environment or municipal affairs or whatever, are not providing the funds that they should be. Any thoughts on that?

Mr Charron: I guess I share your sympathy to both the questions, even the private sector thing. But like I say, with the information I've got, I'm the new kid coming on the block and I'm certainly not going to sit here and second-guess everything that's been done over the last decade and try to pretend that I have enough information to pass judgment, when I haven't sat on this thing for any period of time. I think it would be a little bit premature for me to sit there and have an opinion on something when I don't have the background facts to go with it.

If you ask my personal opinion, yes, the private sector, under a good plan—we've seen a lot of abuses in the private sector with government money. We seem to have the same people at the trough all the time, some of them more successful and some of them less successful than others. But like I said, I don't think I'd want to pass an opinion as to what direction the heritage fund has taken or why they've taken a direction, having not even sat on it.

Mr Gravelle: Well, I'll tell you, I sure don't think it would be inappropriate for you to think about these things, because as a member of the heritage fund—I think there are only 12 members on the board, if I've got it right, and the minister is the chair, so I do think this is a board that the minister listens to in a more significant way than perhaps other agencies that the government has.

Interjection.

Mr Gravelle: I'm going to give you a moment for your question. But I do think it's actually something you should feel really free to have thoughts on. Again, as northerners, much like Mr Martin and I think like all members, we're really keen to make sure this works, and I think it may have gone a bit off the rails in terms of how it's being used. I therefore think it's crucial that the members of the board such as yourself have very strong feelings on it, which is not in any sense to be—obviously, I'm not suggesting that you go out there as an attack dog, but I just think that as northerners, we have to be very clear on this. This is a fund that we obviously want to preserve so I certainly would encourage you to develop your thoughts on it. I know Mr McDonald, I'm sure, has some thoughts on it and is obviously a member who's very interested in this as well.

What do you think about the fact that it appears—do I have more time?

The Acting Chair: You have two minutes.

Mr Gravelle: There seems to be an awful lot of money that's not being spent. The money in reserve—I think we're well over \$200 million that's not being spent. In other words, the money is coming in and there's all kinds of money being held in reserve. There are certainly some people who think that it's all going to be spent during the election campaign. I'm not so sure that is the case, but the point is that it seems to be a system whereby the money is being collected and held in reserve. Have you got any thoughts on that? Are you familiar with that reality?

Mr Charron: A couple of thoughts on it. I guess it probably says something to the screening of the applicants. I haven't seen the applications and what's been there, but it probably says something to the screening. Also, from what I understand, there's often a time delay between when the funds are allocated and when the funds are committed. So funds could be committed this year but maybe not distributed until next year or the following year.

Mr Gravelle: I'm suspicious that it's more than that, but—

Mr Charron: It's preferable to do that than to throw it away because you're coming up to the end of your budget or the end of your fiscal year.

Mr Gravelle: One would never want that to happen. I did have one more question I wanted to ask you, and suddenly I've gone blank on it. I apologize. It was a brilliant question, I want you to know that.

Interjections.

Mr Gravelle: I'll give my minute up to Mr Mazzilli. Can I do that? Am I allowed to do that?

Mr Mazzilli: Thank you very much. I was parliamentary assistant to the Minister of Tourism, and from the north the complaint of the tourism industry is always that people fly into Pearson and then, of course, it costs \$1,600 to fly to Thunder Bay. How do you move people from a massively populated area to the north efficiently and economically so that they can afford to vacation in the north? Would you be open to looking at, with the northern heritage fund, perhaps with a partner like Air Canada or whoever, to getting people out of a populated area to the north for certain venues?

Mr Charron: Absolutely. Transportation is one of the big issues for northern Ontario. Transportation and communication, those are the issues, those are the distances, and those distances are being bridged right now. I don't think the \$1,600 is still—I think those prices have come down quite a bit. We're seeing some substantially reduced prices from North Bay to Toronto. Far be it from me to comment on that, because the transportation industry has had some tremendous hurdles in the last little bit. They've been assessed—even though the cost of the carrier is not the total cost of the ticket. We see a lot of surcharges now. We're seeing security surcharges, we're seeing NAV Canada surcharges, we're seeing the infrastructure surcharges where the airports had been funded by government—they have broken their reliance on government and have gone back to these carriers; actually mostly this carrier, Air Canada. They're faced with tremendous increased charges on their surpluses on the ticket. We saw—what was it?—WestJet that came out with the \$1 ticket and by the time you were done it was \$96.

The Acting Chair: That would conclude your time at this committee. We thank you very much, Mr Charron.

Mr Charron: Thank you very much for listening to me and for considering me.

1400

G. MAURICE POWER

Review of intended appointment, selected by official opposition party and third party: G. Maurice Power, intended appointee as member, Licence Appeal Tribunal.

The Vice-Chair: Carrying on, if I may, our next selection is Mr G. Maurice Power, intended appointee as a member of the Licence Appeal Tribunal. Mr Power, you can come forward. It's good to see you. You have an opportunity to make a few remarks if you wish. We will then begin the questioning with the government party.

Mr G. Maurice Power: I would like to thank the members of this committee for the opportunity to be here today to explain my desire to become a member of the Licence Appeal Tribunal and hopefully to answer any questions that you may have. I would first like to tell you some things about myself and my background that may help you to understand why I want to become an adjudicator with this tribunal.

I was born in Toronto and grew up in Scarborough. My father, the late George Cyril Power, was a lawyer with the Ontario government and was very community-minded, so the tradition of public service goes back in my family beyond myself. My father helped found and served as the first chair of the Scarborough Public Library Board, and it was during his term that the first permanent library in Scarborough was built. From his teaching and his example, I learned early the importance of reason and the proper use of authority and, most of all, of procedures which give every participant in a process a fair opportunity to be heard. Those are skills which have stayed with me and which I hope I have applied in my subsequent career.

From my equally energetic and community-minded mother, the late Mary Power, I learned the importance of trying to direct one's activities toward the improvement of the lives of others and of society, and of bringing a caring and compassionate attitude toward all one's activities. It is these principles and attitudes which I believe I have tried to apply and which have guided me in my career and which I hope to have the opportunity to continue to apply in a role as an adjudicator.

After obtaining my BA from Glendon College of York University and my law degree from the University of Toronto law school, I was called to the bar in 1979. From 1979 to 1997, I practised law with various firms, first in Scarborough and later in Markham. This involved me in working in many areas of law, from real estate to family law to wills, trusts, estate work, and even some criminal and Highway Traffic Act cases. I discovered that I was able to handle many types of work in different areas of law simultaneously with considerable versatility. I became a very quick study and in fact was called upon by other members of my profession to assist them in various cases which involved writing briefs for them. I discovered, as well, that I have some talent for writing and wish to put that to use.

You might say that my first acquaintance with adjudicative functions came when I was a member, from 1980 to 1991, of a panel for representation for children involved in child welfare cases. That panel was operated by what was then the official guardian's office and is now, of course, the office of the children's lawyer. Panel members' opinions were highly respected by judges since we were very well trained in the techniques of eliciting the necessary information to help the judges make a fair decision in each case. Again, those were skills which have stayed with me and which are valuable, I think, to the role of an adjudicator.

My first direct experience with the adjudicative function came when I served from 1990 to 1998 as chair of the admissions and discharges committee of the board of Participation House in Markham. Participation House is a residential home for adults with disabilities and was in fact one of the first such homes in this province. I must say, I don't expect any decision that I may make as an adjudicator in future to be as challenging in some ways as the decisions which we members of the admissions and discharges committee had to make in those cases. We had to decide whom among certainly very deserving individuals we could admit to the very few places that we had opening up in the Participation House home. Fortunately, I had the support of very able and caring committee members in making those decisions and found that to be very important.

Based on this experience, I applied for and, in 1997, received a three-year appointment as a full-time vice-chair of the Social Assistance Review Board. Following my appointment, that board was gradually replaced under new legislation by the new Social Benefits Tribunal. Vice-chairs with the Social Assistance Review Board were of course cross-appointed as members of the tribunal. My term was an enormously demanding but very, very exciting time. We members were called upon to adjudicate in both Social Assistance Review Board hearings under the old system and old legislation and tribunal hearings under the new system. Of course, we travelled all over Ontario. Let me say that that was certainly one of the benefits of membership on that board and tribunal. I got to see many, many areas of our extraordinarily beautiful province and was very impressed. I travelled as a young man but didn't get the chance to see as many parts of this province, especially the north.

Because of the newness of the social benefits legislation, specifically the legislation which created the Social Benefits Tribunal, and the uncertainty as to the continuing applicability of various interpretations of legislation by the Social Assistance Review Board in previous cases and this transitional situation, many of the hearings which we held were very complex. Of course, as always with hearings of such importance to social assistance applicants and recipients, many hearings were very tense and very difficult. Again, I was very fortunate to have the full support of extremely capable staff in what was a difficult transitional period. Fortunately, after a time, and as the end of my term approached, the

provisions of the new legislation providing for internal reviews began to take effect and the number of cases which the tribunal had to deal with did decline. I successfully completed my term with the Social Assistance Review Board and the Social Benefits Tribunal.

I believe I am ready to contribute my experience and expertise in adjudication again in the public service. I expect that this new position which I have applied for will in some ways be equally challenging, as it involves a tribunal with a tremendous range of jurisdiction over appeals under many different pieces of legislation. I believe the material before you indicates that there are over 20 different pieces of legislation under which the Licence Appeal Tribunal has jurisdiction to hold hearings of one sort or another. I believe, however, that I have demonstrated great flexibility in my past endeavours and the ability to master many different fields of law very quickly. I think I will bring that experience to the Licence Appeal Tribunal and can assist greatly in the handling of so many different types of appeals. I hope to have the opportunity to do that, should this committee see fit to concur with my appointment to that tribunal.

I would be very pleased to answer any questions the committee has. Thank you for hearing me.

The Vice-Chair: Thank you very much, Mr Power. We have a little bit of time left for the government side.

Mr Mazzilli: Mr Power, thank you for letting your name stand for this. Obviously this is a very difficult job—more than others, I would say, because, as you said, there are 20 different pieces of legislation and often contrary medical evidence, where you have one physician recommending one thing and another saying something else. You're going to have to weigh that. We get these complaints at our constituency offices—I won't say daily, but certainly on a weekly or monthly basis. So I know the challenge you have. All I ask is that you make life easier for us by resolving some of those disputes.

Mr Power: Thank you, Mr Gilchrist. Let me say that I was relieved when reviewing—

1410

The Vice-Chair: It's actually Mr Mazzilli. They've got the wrong—

Mr Power: I'm sorry; I'm reading the wrong tag. Excuse me. Mr Mazzilli, my apology. Thank you for pointing that out.

Let me say I was relieved, when I reviewed the terms for the hearings of the Licence Appeal Tribunal, to realize that in any matter involving medical evidence, the panel hearing the case is required to include a medical doctor, and of course many members of the tribunal are medical doctors. That will be of great assistance.

The Vice-Chair: Mr Hastings, do you have a question?

Mr Hastings: Mr Power, thank you for appearing before us. My principal concern, and I'd like to get your sense on this: having dealt with the Social Assistance Review Board and other such groups, and the law in general, what is your sense of how effective customer service is in these kinds of regulatory compliance type

operations? I have a general impression, based on people who have come through the constituency and on talking to people, that there is a less than urgent type of approach to dealing with applicants coming before this kind of organization, whatever the issue. There is sort of a nice, leisurely approach to dealing with an issue, sort of, "We'll get to it when we get to it." What is your sense of whether that may be true, and if you found it to be even partially true, what would you advocate in your role to try to correct that?

Mr Power: I can certainly understand the appellant's point of view in that, because there are delays in the process, inevitably. From the other side of the desk, if you will, as an adjudicator with the Social Assistance Review Board and the Social Benefits Tribunal, I saw an extremely efficient staff who were very motivated to push appeals through just as rapidly as they could, given that they were dealing with a tremendous volume of appeals. During my term, of course, they were dealing with appeals simultaneously under two different sets of legislation and two different systems.

We were given strict guidelines to try to adhere to with respect to trying to get the hearing dealt with as soon as possible. Certainly they had very specific approaches to people who came to the counter and wanted information about their appeal. What I saw convinced me that they were making every effort to both deal with appeals as expeditiously as possible, in accordance with the law, of course, and affording everyone involved a fair hearing, which is very important.

Particularly with the social assistance recipients and applicants, many of them were individuals who did have difficulty expressing themselves. Certainly we were trained to deal with that at hearings, but it may have been difficult and frustrating for them sometimes to deal with the people at the counters in these agencies, although certainly those people were trained to try to give them every assistance in doing so.

Mr Hastings: But in this instance—

The Vice-Chair: Very quickly, if you could.

Mr Hastings: —you're dealing more with business people under consumer and business services. So I would expect there would be a little bit of a different mindset about customer service.

Mr Power: I think, Mr Hastings, that is reflected in the even more tremendous volume that the materials before you will show the Licence Appeal Tribunal processes in a given year and in the very short turnaround time for their decisions. I'm certainly going to do my best, if I am appointed, to maintain that in every way.

Mrs Dombrowsky: Thank you, Mr Power, for attending this afternoon. I would like to pick up on the theme around the average length of the process that is involved with the appeal process when you consider the acts that are dealt with by your committee and what I hear in my constituency office on a quasi-regular basis from people who have had their licence suspended, for example, or impounded.

In rural Ontario, you can't even feed yourself if you don't have a vehicle. You have to get in the car, go to the grocery store and get your food. We don't have public transit in rural Ontario. In my riding there is not one public transit authority, so people rely very much on drivers' licences. I'm sure you can appreciate that awaiting this kind of decision can, in many instances, be very problematic for an individual and especially for a family.

So I would only ask that you consider this and, as a member of the tribunal make every effort, particularly in those cases of suspension or impoundment where individuals are prevented from driving or accessing their vehicle, to understand how important it is that that appeal be heard as expeditiously as possible. I do want you to have the understanding that for many folks, not only in rural Ontario but particularly in rural Ontario, a week can be a very long time.

Mr Power: Let me say that as a member of the Social Assistance Review Board and the Social Benefits Tribunal, I did become familiar with the difficulties that rural residents in particular experience. They are remote, and transportation is very difficult for them. I fully understand what you're saying.

Although there is provision in the procedural rules of the Licence Appeal Tribunal for an expedited hearing in any case involving suspension of a licence, especially for medical reasons, as has already been mentioned—if it is a medical suspension, a doctor must properly be involved. There are procedural requirements to ensure a fair hearing, which require advance notice and disclosure of documents and so on, although again those are expedited under the procedural rules, as they should be.

I would be able to do my part in two ways: first of all, to keep up the very fine tradition this tribunal has for a very rapid turnaround on decisions after the appeal. As the material shows, they often get them out within seven days, which is what they should try to do and what I would certainly try to do.

Also, I have considerable experience with the Social Benefits Tribunal and the Social Assistance Review Board in travelling to hold hearings. I'm used to doing that. Although I'm not certain this will be the case, I would expect they might welcome someone who is willing to travel outside Toronto, in appropriate cases, to hold hearings. I know that particularly for people from the north, it must be difficult not only to await their hearing but also to get down to Toronto for a hearing, which I understand is where most of the hearings of this tribunal are held. If I can help to contribute by accepting some travelling assignments, I'm certainly willing to do that.

Mrs Dombrowsky: I note in your curriculum vitae that for a period of time you were a partner with the now-Honourable David Tsubouchi. I would like to inquire at this time about your political affiliation and your political involvement.

Mr Power: I have, over a number of years, been affiliated with the Progressive Conservative Party. I must correct one misapprehension, however. I was never a

partner of Mr Tsubouchi. Mr Tsubouchi has been a partner with several individuals over the years. He was initially in partnership with the late Mr Alan Parker, who died tragically young in 1990. Subsequently, a number of years later, he was in partnership with Mr Graham Nichols. After Mr Tsubouchi became a cabinet minister and was unable to continue his duties with the firm, I did stay on as an associate only of Mr Graham Nichols in Markham until my appointment to the Social Assistance Review Board in 1997. But yes, I did work for Mr Tsubouchi and the late Mr Parker over a number of years in the 1980s and early 1990s.

Mrs Dombrowsky: Have you been involved in political campaigns?

Mr Power: Yes. I certainly greatly admired Mr Tsubouchi and what I saw of his work for his constituents. Even when he was a local councillor in Markham, Ontario, he would work literally day and night to do the best for both his clients in his law practice and his constituents in his local councillor position. I was very impressed with that and I wanted to help him get elected, and we did.

Mrs Dombrowsky: With respect to your appointment to this committee, you indicated in your opening remarks that you were very eager to participate with the licence review tribunal. May I ask if this is a role you went looking for, or did some come looking for you?

1420

Mr Power: In a sense, a combination of both. I've been a friend and colleague for many years of Mr David J. Hunt, who was for a number of years—in fact, going back to the days when it was the Commercial Registration Appeal Tribunal—a member of the Licence Appeal Tribunal, and in fact a vice-chair in recent years. Mr Hunt was recently appointed as a justice of the peace in Toronto. Of course, that's a full-time position, and he had to step down from his duties as vice-chair of LAT. He encouraged me to apply, and I did apply, to become a member of the Licence Appeal Tribunal. I must admit it helped to know there would be an opening for a lawyer member, certainly, since Mr Hunt was stepping down.

Mrs Dombrowsky: That would conclude my questions. Thank you.

The Vice-Chair: Mr Martin, do you have any questions?

Mr Martin: I don't have a whole lot of questions. I just wanted to know why your membership in the Social Assistance Review Board and the Social Benefits Tribunal ended.

Mr Power: Most of the members during my term were in fact not renewed. That was because many, many members were appointed, as they had to be, during what was a transitional period. In fact, we were told right at the outset that we were not really to expect, most of us, to be reappointed.

The position was very demanding. The travel, especially in the last year—you come from the north, so you know how difficult travel can be in the north in winter, and yet as a senior member in the third year of my term I was expected to, and I did, discharge those duties.

As the last of the appeals under the old legislation before the Social Assistance Review Board were finally wound up, that board was eventually wound up toward the end of my term. Actually, I think there were still a couple of hearings outstanding of that board at the end of my term, but it was substantially finished. That of course is because there was a deadline for filing such appeals that had passed well before that.

The new Social Benefits Tribunal initially had to deal with some very difficult issues because it was new legislation and no one, frankly, quite knew how to interpret it. By the end of my term, two things were happening. First of all, a number of cases had proceeded to the higher courts, to the Divisional Court, on appeal, and we were getting clear guidance on what interpretations were valid and were being upheld by the courts. That made it much easier to settle cases at the internal review level, which is the second thing that was happening. The new procedures for internal review under the new social benefits legislation were becoming more and more effective as the participants got more and more used to them and they got better guidance from the higher courts on how they should deal with issues from the outset. As a result, the number of appeals began to decline dramatically, which was expected and anticipated, and by the end of my term far fewer members were needed to deal with them.

I also will admit, frankly, that the position was demanding and I was tired at the end of that term. I felt that it was appropriate for me to do other things for a while, which I did. I'm not sure, had I been offered a renewal of my term, whether I would have felt it was appropriate to accept it at that time. In effect, we were running two boards or tribunals at once, Mr Martin, and it's a very, very challenging thing to do. There will be many challenges with the Licence Appeal Tribunal, but it is a single tribunal, despite the many different types of cases it hears.

I don't know if that answers your question fully, but they had less need for my services as a member at the end of my appointment, and I had been warned at the very outset of it that that was likely to be the case. I had done my service. It was a tiring time for me, and I welcomed the opportunity to step down at that time.

Mr Martin: In your resumé it says that from then to now you have done part-time private practice and other tasks.

Mr Power: Little bits of work for friends and things like that, and some private-practice work. Of course, I've been looking for various opportunities to do more, and frankly this opportunity was one that I welcomed when it came along.

The Vice-Chair: Thank you very much, Mr Power. You may step down now. We'll be dealing with the appointments process later on.

LILA MAE WATSON

Review of intended appointment, selected by official opposition party: Lila Mae Watson, intended appointee as member, Council of the Ontario College of Teachers.

The Vice-Chair: We will move on to our next appointment. I'd like to call forward Lila Mae—better known as Lou—Watson. Please come forward, Ms Watson. I presume that Lou is what your friends and family call you.

Ms Lila Mae Watson: It depends on who knows me and for how long.

The Vice-Chair: Well, I love Lila Mae. I think that's a great name.

Ms Watson: You're one of the fortunate few who pronounce it correctly. I must confess it is my right name; however, I found over the years that so many people couldn't pronounce it and couldn't spell it.

The Vice-Chair: How do they pronounce it?

Ms Watson: They've pronounced it any way you can imagine.

The Vice-Chair: Welcome, and it's good to see you here. You're here, of course, as an intended appointee as a member of the Council of the Ontario College of Teachers. You have an opportunity to make some opening remarks, if you like, and then we'll begin the questioning with the official opposition party, the Liberal Party. Welcome. It's good to see you.

Ms Watson: Thank you. It's a pleasure to be here.

The Vice-Chair: Please feel free to say a few words.

Ms Watson: OK. I'm going to be brief, so that you have the majority of the time to ask me questions.

Good afternoon, Mr Vice-Chair and members of the committee. I really welcome this opportunity to appear before you today and to introduce myself as an intended appointee to the Council of the Ontario College of Teachers.

Since you have my vitae, I will not reiterate the contents of it but rather highlight some of the experiences I've had that I believe will contribute to my effectiveness as a member of the council.

Originally, I started out in business. I had a business course and worked, and then went into education. Just a quick anecdote: if you're trying to guess my age, the reason I had to change was because I worked at a time when the philosophy of the company was that they didn't hire married women. The minute you got married, it was your automatic resignation. So I had a forced reason to change careers, and I chose education and have been in it for 35 years. I started out in a classroom, rose to become a supervisory officer and retired as a superintendent with the Scarborough board in 1997.

In retirement I've continued to be actively involved, predominantly with committee work and with boards. When I was working, I was responsible, and this is one of the things I'm really pleased about, for the establishment of the Progress Career Planning Centre, since called the Progress Career Planning Institute. I formulated the company, sat as the informal chair of the board and then sat formally as the chair until 1998 and as past-chair until 2000. I'm still involved with the centre on an ongoing basis, just to volunteer and help out and go back and facilitate.

I was appointed to the safe schools section of the Child and Family Services Review Board in August

2001, and subsequently cross-appointed to the Custody Review Board and have been quite active with that.

I am currently the co-chair of the Education Policy Advisory Council—I have been a member since 1995—and I'm also currently a member of the training, colleges and universities policy advisory council since its beginning after the last election.

On a personal level, I'm a wife and mother and a grandmother of four wonderful grandsons. I have one daughter who is a teacher and is in the process of becoming a vice-principal. The other daughter is assistant to the principal of Queen's University. So you can see that I am well immersed in education even in retirement. I'm surrounded with it.

I believe that in becoming a member of the Council of the Ontario College of Teachers my extensive experience in various aspects of education and beyond, my experience in working with the public as well as my involvement in business, boards and committees will bring added value to the administration of the college's affairs and the regulation of the teaching profession. I look forward to your questions and hope that more of the background you may be seeking will come out through the questioning.

The Vice-Chair: Thank you very much, Ms Watson. We will begin the questioning with Ms Dombrowsky of the official opposition.

Mrs Dombrowsky: Welcome, Ms Watson. I have to tell you that I'm rather amused by your opening remarks relating to your name, Lila Mae Watson. When you have a name like Leona Dombrowsky, I certainly can appreciate how names can be butchered.

In any case, Ms Watson, I noted, and I thank you very much for including in your curriculum vitae—you talk about your political experience. That's an area that we regularly are interested to know about at this committee. You have indicated that at the provincial level you've been involved on the Education Policy Advisory Council and were a member of the training, colleges and universities advisory council. Federally, you talk about being a candidate in the riding of Thornhill. You talk about being the president of the association and the past president, but you didn't put in writing for what party.

1430

Ms Watson: Progressive Conservative.

Mrs Dombrowsky: For the Progressive Conservatives. Thank you very much. I thought that would have been the case, but I've learned never to assume.

As I review your curriculum vitae, you have indicated that you have experience as a principal with the Scarborough Board of Education. Certainly my colleague Mr Gerry Phillips would tell me that all folks associated, past and—well, I guess not present, because it's a different board now, but certainly he has very good things to say about anyone who was associated with that school board and the quality of education that you provided. As a principal, it would have been your role to assess the performance of teachers in your school. Did you do that? Maybe you can explain to me how you did that.

Ms Watson: Well, through the course of my career as a principal, we did change the evaluation and assessment process to the point where, when I was a superintendent—and this is just prior to amalgamation of the boards—we had a process that was quite intensive and quite thorough. But certainly, to answer your question specifically, the main thing you want to know about a teacher is the outcome of student learning. That's the bottom line: whether the students are learning in that classroom or they're not. Everything else falls into place.

The other thing that's key—and you certainly look at teaching competencies—you look at student assessment, student learning outcomes. You look at their communication with parents, with other colleagues and so on. These are the informal things. But one of the things—and this is a personal note of mine but then became built into our process as a procedure—was their ongoing professional development. I wanted people who were actively involved in their own learning and therefore their betterment as a professional and a teacher.

So those were sort of my personal guidelines built within the policies of the board. The policies at the end were quite consistent, actually, with what is taking place now.

Mrs Dombrowsky: Perhaps you could explain, then, how you see there is consistency there, with the kind of assessment model that you speak about that happened at the board level, compared to what is in place now, where a teacher test is administered under the auspices of the College of Teachers. Maybe you could make that connection for me, because I have to tell you quite frankly that I hear from a lot of people, certainly professionals in the field, who are having a lot of difficulty around that particular change in the law and change in the regulation of how to assess the quality of a teacher.

Ms Watson: The interesting thing is, and again I make a personal statement because I was involved in the fall—

Mrs Dombrowsky: What fall?

Ms Watson: This past fall.

Mrs Dombrowsky: In what way?

Ms Watson: —with the process of assessing the teacher performance appraisal that is implemented right now. The interesting thing is that while teachers do testing all the time, they don't like to be tested themselves. It has been historically the case that they do testing and feedback to students and so on, but when it's themselves, they really are not readily amenable to it.

I think what has to happen, though, is the fact that we need to ensure that everybody in the teaching profession, in the education profession, is improving themselves. Whether that be through a teacher test or whether it be through a combination of that and regular upgrading, which is the case now with the PLP, there has to be ongoing performance appraisal; there has to be, in my mind.

Mrs Dombrowsky: Was there ongoing performance appraisal and upgrading of teachers when you were a superintendent at the school board?

Ms Watson: Yes, there was.

Mrs Dombrowsky: How did that happen?

Ms Watson: One thing we had was a built-in requirement, when we evaluated the teacher, for them to do their own professional planning. It was logged, "This is what they are going to do." Now, it might be of their own volition or it might be in co-operation with your recommendations, if there are weaknesses, what they were going to achieve over the next year. Then you would look at that, reassess it and talk about it: "How's it going?" But there was an expectation that there was ongoing professional development.

Mrs Dombrowsky: In your opinion, is ongoing professional development better carried out at the local level or at the provincial level?

Ms Watson: I would say both.

Mrs Dombrowsky: Can you explain that, please?

Ms Watson: The reason being that at the local level it's fine, but it has to be monitored and the people have to be doing it. However, there are times when it has to be monitored above that level. I think if I was going to be candid, my own take on it would be that if over the last number of years people have indeed grown professionally and managed their own professional development—hundreds and thousands of teachers do, but you've always got some who don't; as a case in point, someone who goes in and teaches for 25 years in the same subject in the same school and hasn't taken a course. If that's the case and there isn't some way of ensuring that that changes, it probably requires some higher level of monitoring. I believe that was part of the reason, because parents felt their children were not receiving an education from the very best. There was considerable concern. We all know that there's been discussion on that.

Mrs Dombrowsky: Perhaps you can distinguish for me, because these are two terms that you've used in your remarks, the difference between someone who is tested and someone who is assessed.

Ms Watson: It's basically the same thing. When we say "testing," we're talking about paper and pencil, but it is assessment. It is assessment, no matter how it's done. I think one of the concerns definitely has been a pencil-and-paper test.

Mrs Dombrowsky: Is it your understanding that that is how teachers are going to be assessed? Is that going to be a component of their assessment?

Ms Watson: That hasn't been confirmed.

Mrs Dombrowsky: That hasn't been confirmed? Do you have an opinion on that?

Ms Watson: Not a conclusive one. I believe that it has to be looked at. I know there's a concern on the part of teachers and their federations that this is not going to determine the competency of a teacher; I know that. So if that's the case, then it probably has to be looked at.

Mrs Dombrowsky: Are you aware of any document or any study that would support a paper-and-pencil test to make this kind of an assessment?

Ms Watson: I know there has been a considerable amount of research, certainly in the States, but I can't quote it.

Mrs Dombrowsky: If I can move on to another area that is particularly important to me—

The Vice-Chair: One more minute.

Mrs Dombrowsky: It relates to the fact that we have a law in Ontario to protect students from teachers who, very sadly, would have abused them. However, that only catches teachers who are employed in our publicly funded school systems. Is it appropriate that we would have thousands of children in Ontario who are, in my opinion, potentially vulnerable, because in a private system, teachers of that system are not required by law to be reported professionally to their college should they have committed these kinds of offences?

Ms Watson: I think the operative word there is “private.” I’m in these discussions all the time as to whether we should indeed be imposing greater requirements on the part of the private—

Mrs Dombrowsky: For me the operative words are “children” and “exposure.”

Ms Watson: I agree with you. However, I use the word “private” as being operative because of the type of school. A child is in a private school at the discretion of the parents.

Mrs Dombrowsky: They don’t deserve to be protected.

1440

Ms Watson: They do deserve to be protected, but those parents very much regard the right to make their decision and are very loath to have someone impose that on them from any other quarter.

Now, there are all kinds of opinions on it, as much as every school in the province should come under the auspices and domain of the government. The interesting thing is that you then go and talk to parents whose children are in private schools and they don’t want to have any of that.

The Vice-Chair: Thank you very much. Mr Martin.

Mr Martin: You taught, did you?

Ms Watson: Sorry?

Mr Martin: You were a teacher?

Ms Watson: Oh, yes.

Mr Martin: For how many years did you teach?

Ms Watson: From 1959 to 1980, when I became a vice-principal.

Mr Martin: Your reason for wanting to be on this college—primary?

Ms Watson: My reason?

Mr Martin: Yes.

Ms Watson: Because I have a passion for education and ensuring that the very best educational opportunities are afforded to the students in this province. I say that as passionately now as I did when I was an educator. The interesting thing was that I didn’t start out as an educator; I started out in business. But I really have a keen interest in education.

Mr Martin: And you feel one of the ways to do that would be to get on this college and do what?

Ms Watson: As a member of the council, they govern the affairs of the college. Since the college has been

formed, it is the regulating body of the teaching profession in Ontario. My hope would be that I can contribute because of my experience and background.

Mr Martin: You see, the teachers that I know and interact with in my own community—and I have nothing but the greatest respect for them. I’ve got four children myself, all of them in school—three in high school and one in elementary—and they participate in all kinds of activities. Every time I attend an activity, there’s always a teacher or two there coaching, mentoring, even bringing homework with them if they go away on a weekend for a tournament; they’re coaching at the same time they’re marking and they’re doing all kinds of things. I just have tremendous respect for those folks.

They feel put upon.

Ms Watson: Yes, they do.

Mr Martin: They feel criticized, they feel unappreciated—even the best ones. Teachers now are looking forward to retiring. There was a time, probably when you were teaching, when teachers didn’t want to retire. As a matter of fact, retirement was something that they were being forced to do, in many instances. They loved what they did.

Many of them see the college as an adversarial thing, something that was imposed that they have to belong to, that seems to spend a lot of its time putting in place more and more benchmarks and hurdles and things that they have to do. Is that fair?

Ms Watson: I’ve been there. I can empathize with what you’re saying about the marking and taking everything with you and so on, and it doesn’t stop when you end being a teacher, because I never found I was ever in any job where I didn’t carry my briefcase and work weekends. Having said that, that’s the teaching profession. Yes, you’re right; many teachers do feel put upon. However, I meet many teachers who don’t, who just go about their business and do their job and are continuing to work for the students. I find that it really depends on the individual as to how they perceive themselves and the support that they see around them. So I’m very cognizant of the concerns that you express.

With respect to the college, the reality is that quite often teachers are not fully apprised of the benefits as opposed to the detriments. I am often in discussion with teachers, even now, where I’ll say, “Are you aware that...?” Well, they aren’t. And as you just described, too, where teachers are so busy—they are just up to their ears. They’re going flat-out, 150% or 200%. They really don’t have time to get their heads around the political world, and that includes the college, but the political world with a small “p.” Consequently, I find that quite often their concerns and their comments come from a lack of a real thorough knowledge base, as opposed to being really aware of what their concerns are. But they do feel put upon; that’s true.

The teaching profession, as far as I’m concerned, is one of the best there is, and I choose to still call it a profession. Teachers I think have the capacity to raise

their level of perception in the community, to stand up with their heads held high.

We had difficulties when I was teaching, we had difficulties when I was an administrator and a principal, but I never, ever felt, even with the criticism or anything—and there were a lot of difficulties—that I was denigrated by it or ashamed of my profession. I believe more of that can happen today and I would hope that I can continue to assist as I meet people, either on the council or outside, just in my personal life, in trying to encourage support; but I also support parents, because a lot of parents really don't understand what the teaching profession is all about unless they know someone.

Mr Martin: My concern is that some of the good teachers who are out there are wanting to get out now too, and that's troubling. Also, not only do they feel under attack by the government and in some instances the Ontario College of Teachers, but they feel that parents now have been empowered to attack them as well. Where my parents would go in, and if the teacher told them something I was doing that was wrong, I'd get a whack when they got home and was told to smarten up and get my act in order, nowadays if a teacher confronts a student, he is liable to end up in court. So there's that sense out there that the balance has been tipped. Personally, I wish we could get back to a time when teachers taught and felt supported in that and affirmed in that and appreciated in that, and kids then, because of that, enjoyed going to school.

Ms Watson: I hear what you're saying. I guess my short answer would be that I don't feel as pessimistic about the profession as that. I think there is support there. I think the teachers can feel good about what they're doing. They have to support one another. Within a school, the principal has to be supportive. And you don't get the put-upon from parents as much if you have ongoing, open communication with them. Parents are great, really, if they have that opportunity and feeling of security about the teachers and their sincerity and what they're doing for the children. Some of the best supporters for teachers are parents. I guess there are those that don't and there are those that do. Similarly with teachers, there are some who feel put-upon and there are others who are just doing their day-to-day job and they don't get themselves embroiled in worrying whether they're appreciated or not.

I know there are some who are saying they can hardly wait till retirement. I think that's sad, unless they are truly of retirement age and looking forward to the next phase of their life.

Mr Martin: I guess what concerns me here is that those who feel it's changed and it's difficult and they're not appreciated any more and they're anxious to get out are seeing the government as the perpetrator, and here we are going to appoint somebody today who obviously is a very involved member of the governing party out there, supportive of their agenda, if that's what you're doing, and we're going to put you on this college. I'm afraid of

the message we're sending back to communities and to teachers and to the system. Should I be?

Ms Watson: Definitely not. My involvement, particularly provincially, has only been on EPAC, and there it is to ensure that I have an opportunity for input so that the very best decisions can be made for policy for the education of students in Ontario. That's my key interest and that's the interest of an educator. An educator has got to, bottom line, care about the students under their care, that they are learning every day.

1450

I should also interject that when I make my decisions, I do not make them as a partisan person at all. For many years, I wasn't. I care passionately about education for students in Ontario without any kind of partisan label, and I will continue to do that. The people I worked with know that very well.

The Vice-Chair: Mr Hastings, I believe you have a question.

Mr Hastings: Ms Watson, you've been a player in the educational world for 35 years. I'm going to use two terms. I would like to know how you describe yourself regarding process versus outcomes.

Ms Watson: Both, because in order to arrive at outcomes you have to have a process.

Mr Hastings: OK.

I'd like to take the process the college uses for dealing with the registration of teachers, especially the re-registration. In the last year and a half I've had three instances of constituents who allowed, for whatever reasons—that's their business—a lapsing or semi-lapsing of their certificates to teach in the province. It was very interesting going through the experience, myself getting on the phone and dealing with the college and the requirements they have for somebody who already has taught in this province before.

In one instance, a Catholic teacher who had taught for 10 years left teaching for about five and went into business and came back. Obviously, when you're doing that you're not going to have your teaching certificate continue. They already have on record—and this is since they got started in 1998 to 2000—his basic qualifications, all his documentation. Guess what? He has to go back and get every original document. They already have these documents. He had to get originals, not photocopies, to prove that he was who he was on the registry.

I'd like to know what you would do with that at the staff level to reduce some of what I call red tape, unnecessary duplication. If it was somebody new, obviously we have to have all the documentation. I'd like to know what you would do with staff regarding that specific issue, given we're going to have a huge number of teachers leaving the profession and a new large onslaught of teachers coming in. You're also going to have this re-registration: people leaving the profession and then coming back later.

Would you support the existing system as it is, that I've experienced for these people, or would you look at

some change in the process of dealing with that kind of an issue?

Ms Watson: I'm not integrally involved with how the college handles that, but I would preface it by saying it's not uncommon; it's not unlike what was done by individual boards before, because you always had to have original documentation.

As to red tape, if it's red tape for the sake of red tape and if bureaucratic or administrative procedures can be made more efficient, then I think they have to be. So my take on it would be, you take a look at the process, you take a look at the issue and if indeed what is being done now can be done in a more efficient, effective way, then you would work toward revising it. But if not, and this is what is required—and there will be instances where it is troublesome, it is burdensome and so on, but I think you have to do it on an assessment basis.

Mr Hastings: I would contend it's needlessly duplicative within those sets of circumstances. If you support the continuing process of that, then I presume you would also support the continuing non-customer—and I really emphasize that point: non-customer—approach that the college has to its people, teachers. I think you need to look at it, and when you get there, I hope you'll really take a good look at it because I have found it less than edifying having to deal with it in three instances, and they were all fairly consistent. The rigidity of the operation—it's truly rigid.

Ms Watson: First off, I would just qualify: I didn't say, "I do support." I prefaced it by saying, "I'm not totally familiar with the process."

Mr Hastings: Good.

Ms Watson: I am familiar, though, with the fact that it has been historically the case that you always had to procure original documents, long before the college was in existence.

Mr Hastings: We understand that. We're talking about re-registration. That's the specific issue here, and the complete reintroduction of this kind of stuff. Even though they're still registered, they're not teaching, they're still there. They have some of that documentation. It's not destroyed.

Ms Watson: Until I was totally familiar with the process, I think it would be unfair for me to comment. On a personal basis, though, if there's no need for it, the person has had documentation there before, they've been a member and that can be validated, then I think that the process could be made more efficient. However, I don't know enough about the process.

Mr Hastings: God bless you. I hope you do when you get there.

The Vice-Chair: Mr Mazzilli, do you have a very quick question? I thought I saw you. Make it quick. We've run out of time here.

Mr Mazzilli: A very quick question. Thank you very much for appearing today. One thing that I hear from predominantly older teachers coming up to retirement—and they're not that old—is about the extracurricular part. They often became teachers so they could coach. They're

very good at teaching, but they love the other things. One thing I found in my community during some of the work-to-rule campaigns was that some of the teachers said that was their opportunity to get out. That was the excuse to stop doing it after 30 years. What I'm hearing is that younger teachers often don't take on those assignments. Is that a concern for education? Did you notice that as an administrator, or is that just perception?

Ms Watson: Extracurricular was not an issue but it was something that certainly had never gotten to the degree of dispute that it did in the latter number of years. So I'm going to qualify it by saying—and I had discussions on this topic when it was withdrawn and it was the work-to-rule. Being around as long as I have, I went to school when there was no such thing as extracurricular. It didn't exist. If you go to the European schools—I asked, "What about that?" "No, that's the job of the parents and the community." There's no extracurricular in Europe and in other parts of the world.

So the extracurricular is something that has sort of evolved over about the last 30 years and, to a large extent, it has evolved because of teachers. They love to coach, they love to do a number of things, and they've offered absolutely everything, so in some schools—and this is what I ran into as a principal—it was the tail that wagged the dog. At the end of the day, you might have students who hadn't completed their work. They shouldn't be out of class until they did, but no, they've got to be at a game. I put a stop to that, and I said, "You can be on this team when you have successfully completed your day's work to the satisfaction of your teacher. But don't talk to me about being on a team." However, on the flip side of that, there are some students who thrive, so you have to use judgment. So you say, "OK, Johnny, if you have really put in a day's work to the best of your ability," and that's key.

Mr Mazzilli: I guess I would have never made it through—

The Vice-Chair: That's it. We have to—

Mr Mazzilli: Can I—

The Vice-Chair: No, no. To tell you the truth, Mr Mazzilli, you weren't that short. Anyway, we do have to move on. Thank you very much. I'm glad you had an opportunity to ask a question.

Thanks very much, Ms Watson. We will be voting on the appointment later.

We'll move on to our next appointment.

Ms Watson: OK, thank you. Sorry I didn't answer yours completely.

ROSLYNNE MAINS

Review of intended appointment, selected by official opposition party: Roslynne Mains, intended appointee as member, Social Benefits Tribunal.

The Vice-Chair: Our next appointment is Roslynne Mains, intended appointee as a member of the Social Benefits Tribunal. Please come forward, Ms Mains. You

will certainly have an opportunity to make some remarks, if you like.

Ms Roslynnne Mains: May I help myself to water?

The Vice-Chair: Absolutely. Please do. Make yourself as comfortable as you can. You'll have an opportunity to make a few remarks, and we will then begin the questioning with the members of the government party, I believe.

Clerk of the Committee (Ms Anne Stokes): NDP.

The Vice-Chair: Oh, NDP. I'm terribly sorry. The third party. Mr Martin, you'll be going on first in the questioning.

1500

Mr Martin: OK. Thank you very much.

The Vice-Chair: Thank you, Ms Mains. Please feel free to go ahead.

Ms Mains: I would like to begin by thanking you, Mr Chairman, and the members of your committee for providing me with this opportunity to appear before you today. I'm honoured to have been nominated for a position with the Social Benefits Tribunal and would welcome the opportunity to serve the province in that way.

I believe that you have a copy of my resumé, but I would like to outline briefly some of my background and experiences that provide me with relevant qualifications for the position for which I am being considered.

I grew up in Niagara Falls and attended McMaster University, where I attained a bachelor of arts degree. Upon graduation, I moved to Toronto in order to accept a position with the province of Ontario. I had a career with the province that spanned 10 years and comprised four positions in administrative and financial areas of different ministries. From Toronto I moved to Mississauga, where I've lived for the past 24 years.

Most recently, I was the director of communications and community relations for the United Way of Peel Region for over eight years. As you're probably aware, Peel region comprises the cities of Brampton, Mississauga and the town of Caledon, with a population of just under one million people. While these communities are fortunate to have considerable wealth and offer their residents various opportunities and services, there does exist a paradox of prosperity. Poverty, high youth unemployment, a rapidly aging population and the challenges that accompany physical and mental disabilities face a growing number of people within Peel region. As the director of communications for the United Way, it was my responsibility to raise awareness of these needs within our community in order to encourage those who were able to donate funds to help others who were less fortunate.

The written and verbal communications skills that were required for my position as director of communications would also be important attributes for a position with the Social Benefits Tribunal, both in terms of facilitating the hearing process and in the writing of the decision.

I have also held a position as chair of the board of referees with the Unemployment Insurance Commission. In that role, I was provided with written documentation prior to the hearing, heard oral evidence, and then, after consultation with my panel members, wrote the decision on behalf of the board immediately upon the conclusion of the proceedings.

I have also had the opportunity to serve my community in a variety of volunteer roles. I've been president of our ratepayers' association; I was treasurer of Counter-Act, a group which provided an education program for elementary schools, with the goal of vandalism prevention; I was our ward rep on the Peel community liaison committee; I was a charter member and first vice-president of the Kiwanis Club of Credit Valley; I was a founding director of a Credit River conservation organization; I've done door-to-door canvassing for the cancer society and arthritis; and I was honoured to be asked to represent Canada on a cultural tour to Taiwan in 1990.

I share this experience with you today in order to demonstrate that serving my community has been an integral aspect of my life for over 20 years. I submit to you today that my varied background and wealth of experience with people from all walks of life and from all parts of the world demonstrate that I'm a suitable nomination to the Social Benefits Tribunal. I'd be pleased to answer any questions that you may have.

The Vice-Chair: Thank you very much, Ms Mains. We will begin with the third party.

Mr Martin: Good afternoon. You're certainly being considered for what I think is a very critical appointment, particularly where the lives of some of our more vulnerable and at-risk residents, most of them children, are concerned. I'm assuming from your resumé, when you reference your political involvement and activity, that you're a Conservative.

Ms Mains: Yes.

Mr Martin: I'm wondering, if you've been watching the program that has been rolled out almost from the beginning of this government's tenure, where initially 21.6% of the income going to those who are at the bottom end of the income chart is concerned and then continuing other roadblocks, hurdles and benchmarks to reach in order to qualify for support, what your feeling about that is, given your political affiliation.

Ms Mains: You referred to the 21.6% reduction and the curbing of the eligibility criteria. I wouldn't presume to know all the considerations and data and research that would be required to go into determining the level of benefits for social assistance in our province. That's not my area of expertise or background. I do know that on average the benefits in Ontario are higher than those in other provinces. When the cuts were made in 1995, there had been a period of 14 years when the various benefit levels had increased between 50% and 60% at a time when the average family income increased by 2.5%. Also, by 1994 someone receiving social assistance was earning 17% more than a male employee at the lower end of the labour force. I would assume that those types of

considerations went into the decision to make those changes.

Mr Martin: You certainly seem to be quite knowledgeable in that area and about that information. Certainly a case can be made to support the position you've obviously arrived at in front of this.

Are you aware of the very tragic inquest inquiry on Kimberly Rogers that took place in Sudbury over the five to six weeks before Christmas?

Ms Mains: Yes, I am.

Mr Martin: And the recommendations that were brought down?

Ms Mains: Yes.

Mr Martin: Have you looked at them? Do you support those recommendations?

Ms Mains: Again, my understanding as to the role, if I were to be successful in this tribunal, would not be to judge the merits of the legislation but rather to judge the merits of the cases that are brought before me and to render a fair and impartial decision based on the parameters of the existing legislation. The determination of the parameters of the legislation is up to you, our legislators, the people we have voted for to represent us.

Mr Martin: Because we don't have the time to sit on those panels and do the work you're perhaps going to be appointed to do here today, we count on you to do that. So I guess that for me it's very important to know what your mindset is in front of that, what you are thinking, what you bring to the table in terms of the intangibles where the decisions you will make are concerned. That's why I'm interested, if you've watched that inquiry and read the recommendations and tried to understand them, what your feeling is about them.

Obviously those five jurors, non-partisan citizens of the community of Sudbury, sat for over five weeks and listened to evidence surrounding the circumstance that Kimberly Rogers had to live in in her last months and suggested some very clear and important recommendations to the government, which unfortunately they've chosen not to do anything about. I was just wondering what your position would be on those so that I can be comfortable in the decision I make here today in terms of whether or not I support your appointment.

Ms Mains: Could you repeat the question? I'm sorry; I'm not sure what the question was in that.

Mr Martin: I'm just going back to your own personal view of the recommendations. Do you think they were right? Should the government move to implement them, or do you think the jurors missed the point?

Ms Mains: Well, I think the situation they were reviewing was a very sad one, and my heart certainly goes out to anyone, male or female, wealthy or poor, whose life is so devoid of hope that they feel their only alternative is to end it. My personal opinion on the legislation as it stands, I think, is not as relevant as my commitment to render fair and impartial decisions based on the evidence brought before me in any hearing.

1510

Mr Martin: Just another example of an initiative by the government, and I want your opinion on it, is something that I discovered in travelling the province and looking at the issue of poverty, because in fact poverty has grown in the last number of years. It's gotten wider and deeper across the province, in spite of the initiative of this government and the communication that it puts out. The federal government, after an all-party resolution in 1989 to get rid of child poverty by the year 2000, brought in the child tax benefit supplement for low-income Canadians. In this province we claw back every penny of that supplement from families and children on assistance. Do you think that's fair?

Ms Mains: I am aware of that clawback. As I mentioned earlier, I'm not an expert in determining the appropriate level of benefit for social assistance and all of the considerations that would need to go into making that decision. I also don't know if that's a common practice in other provinces, if that is the norm. So I don't feel that I'm in a position to comment on whether that's appropriate or not appropriate.

Mr Martin: There are two provinces at least that don't claw it back, and the others do. I don't care what jurisdiction it is; personally, I don't think it's fair and I don't think it's right. That money was targeted for our most vulnerable and at-risk children, and because of a political decision, it's not getting there. Those children aren't benefiting from it. Anyway, I think those are all the questions I have.

Mr Johnson: I just wanted to say, Ms Mains, that I'm pleased that you're looking at this challenge, this opportunity, a job that needs doing. You were confronted with a statement by my colleague from Sault Ste Marie, and it was also stated earlier by my colleague from eastern Ontario, that in 1995 the welfare rates were reduced by 21.6%. In neither case was the point made that the individuals concerned were eligible to earn that back without any penalty. So I just wanted to add that in. I make no conclusions about why it wasn't added in before, but I do want to thank you ever so much for putting your name forward for this very important job.

Mrs Dombrowsky: Welcome, Ms Mains. It's good to have you here. Just as I review your curriculum vitae, it indicates "director, communications and community relations, United Way of Peel Region, Mississauga." Am I to assume to that that is your present place of employment?

Ms Mains: No, I left United Way a few months ago.

Mrs Dombrowsky: You left a few months ago?

Ms Mains: Yes.

Mrs Dombrowsky: That would be in 2002?

Ms Mains: Yes, in August.

Mrs Dombrowsky: Where are you presently employed?

Ms Mains: I am presently unemployed.

Mrs Dombrowsky: So you would be perfectly available to take this full-time position.

Ms Mains: Yes.

Mrs Dombrowsky: I like to understand, and I think it's important for the people of Ontario to understand, how individuals come to find themselves as intended appointees, particularly to full-time roles. So maybe you can tell us how it is you are here today.

Ms Mains: I knew I was going to be leaving United Way. I had made the decision that eight and a half years was a good, long haul at that organization. I had had a lot of terrific experiences but was really ready to move on to something new and different. I contacted my local constituency office, that of Mr John Snobelen, to inquire what boards or tribunals might have opportunities. Upon their looking at my background and experience, they suggested that the Social Benefits Tribunal would be most appropriate to my background and, as a result, I applied to that position.

Mrs Dombrowsky: I find that interesting. People with a background in social service don't usually go to their local constituency office to inquire about employment. Are you a member of a political party?

Ms Mains: Yes, Progressive Conservative.

Mrs Dombrowsky: And are you active in the riding association?

Ms Mains: Not currently active in the riding association, no.

Mrs Dombrowsky: Have you been active in campaigns?

Ms Mains: Yes.

Mrs Dombrowsky: Mr Snobelen's campaign?

Ms Mains: I believe at the time he last ran for office I was involved in Rob Sampson's campaign.

Mrs Dombrowsky: I see. With regard to the role at the Social Benefits Tribunal, are you aware that in 1997 the Social Assistance Reform Act changed the way individuals would appeal a decision at a local level in terms of whether or not they would qualify for assistance? Are you familiar with that change?

Ms Mains: Are you referring to the requirement for an initial internal review?

Mrs Dombrowsky: That's right.

Ms Mains: Yes.

Mrs Dombrowsky: Do you have any appreciation about the impact that has had on the appeals to the Social Benefits Tribunal?

Ms Mains: I'm not aware of that impact, no, and I'm not really familiar with or privy to that process at this point in time. Looking at it from the outside, I would assume that it was put into place in order to streamline the process.

Mrs Dombrowsky: For whom? I guess I'm trying to understand how, when you add another step to a process, that's in some way streamlining it.

Ms Mains: As I said, I'm not all that familiar with the process at this point in time. I just know that the internal review was added to the process.

Mrs Dombrowsky: OK. Would you be able to appreciate, for those who would be considering possibly appealing a decision at the local level, that it is seen as

another hurdle to cross in their journey to be fairly heard or fairly judged?

Ms Mains: There may be that perception. I can see that.

Mrs Dombrowsky: Can you appreciate that in communities, particularly in rural Ontario—and in most cases when you're talking about social benefits issues and recipients, these are people who don't have a lot of money. Many of these people don't own vehicles. They live in communities that do not have public transit. So the implementation of an additional step in order for them to appeal a decision can be a formidable challenge, because it places before them yet another requirement to attend at a meeting and make a presentation in a community probably not their own. Can you appreciate how that can be problematic for many individuals who would be seeking the assistance of the social services system?

Ms Mains: If that's the way it's handled, it could pose a problem, yes, but I really don't know a lot about it. I don't even know if they have to do it in person or if it's something they can do in writing.

Mrs Dombrowsky: I believe that it's a review process that does require an interview. At least in the experience that I have locally, that would be the requirement.

Are you aware of the wait times for an appeal at the tribunal?

Ms Mains: I believe they have to receive word of a date within 30 days of their request for an appeal. That's my understanding.

Mrs Dombrowsky: Are you aware that they can wait up to six months to have their case heard?

Ms Mains: No, I didn't know that. But I also believe they can receive interim financial assistance while awaiting their appeal.

Mrs Dombrowsky: Yes, they can be eligible to receive welfare in the interim, particularly if it's an Ontario disability support program appeal, even if it's an Ontario Works appeal.

Are you aware that once you make a decision at the tribunal and you would find in favour of the individual, and you would find that it is appropriate that an individual would be awarded Ontario disability support, it can take up to—and regularly—six months for that individual to receive that compensation?

1520

Ms Mains: No, I didn't know that.

Mrs Dombrowsky: Now that you know that—and I would encourage you not just to take my word for it; I would encourage you, as a member of a tribunal, to make some inquiries about that—do you believe you have any responsibility to try to address that? First of all, do you think it's appropriate that people could wait upwards of one year to receive benefits that they deserve?

Ms Mains: Well, the process would come out of the specifications of the legislation, and it wouldn't be my position to judge the merits of the legislation, but rather the merits of the hearings before me.

Mrs Dombrowsky: I don't think there's anything in the legislation that says they should have to wait a year,

so I guess I'm asking you, do you think it's appropriate that they would have to wait a year to get benefits that they deserve?

Ms Mains: A shorter time frame would be preferable, yes.

Mrs Dombrowsky: Do you think you have any role to play in advancing the idea that people should receive that in a more expeditious fashion?

Ms Mains: I'm uncertain whether it's a role of someone on the tribunal to play a role in that. I really don't know if that's appropriate.

Mrs Dombrowsky: Is that something you're prepared to look into?

Ms Mains: If I am successful, once I am privy to the role and function of the individual, I would see if that was appropriate.

Mrs Dombrowsky: Are you aware that there are more children living in poverty in Ontario today than in 1995?

Ms Mains: Yes, and I'm aware that one in five children in Peel region live in poverty.

Mrs Dombrowsky: Do you think the 21.6% rollback in welfare rates has had a significant impact on that fact?

Ms Mains: I think it's truly unfortunate that children do live in poverty in our country and in our province. It's almost unbelievable, but I do know that it is a fact. I do wonder, however, whether the rate of benefit for social assistance is the panacea for solving child poverty.

Mrs Dombrowsky: I couldn't agree with you more, and I would suggest that it's absolutely unacceptable—not only unfortunate but unacceptable—that children would live in poverty in this, the most blessed province and the economic engine of Canada.

Are you aware that people who receive Ontario disability support payments have not experienced an increase in their compensation in a decade?

Ms Mains: Yes, I am.

Mrs Dombrowsky: With that knowledge, would that also not mean that you, in your role as someone at the Social Benefits Tribunal, understand how desperate some people are and how critical and chronic some of their conditions are? How might that impact your decisions at the tribunal?

Ms Mains: I can promise you that I would hear all the evidence and ensure that all the parties believed that all the evidence had been heard. I would weigh the evidence, apply the law correctly, and then render a fair and impartial decision within the parameters of the legislation.

The Vice-Chair: Thank you, Ms Mains. That completes the time period we're allowed. We'll be voting on the appointment later.

STEVEN COUPLAND

Review of intended appointment, selected by third party: Steven Coupland, intended appointee as member, Kincardine Police Services Board.

The Vice-Chair: Our next appointment is Mr Steven Coupland, intended appointee as member of the Kincardine Police Services Board. Mr Coupland, would

you come forward? Am I pronouncing your name correctly?

Mr Steven Coupland: Yes, you are. I'm not used to that.

The Vice-Chair: Mr Coupland, welcome. Certainly you have an opportunity to make a few remarks if you wish in advance, and then we will move to the questioning, which will begin with the government party.

Mr Coupland: I'd like to thank the committee for giving me an opportunity to discuss my interest in serving on the Kincardine Police Services Board. As someone who has been involved at sort of the other end of the appointment process, I appreciate the role of the parliamentary review committee and think it's an important part of the process.

I'd like to begin by outlining a few details of my background not covered in my resumé. I was raised in Huntsville, Ontario. At that time, Huntsville was of similar size and makeup to Kincardine. Like Kincardine, Huntsville was policed by the OPP and I certainly remember the OPP being an integral part of the community. In fact, a couple of the officers coached my team in minor hockey. I also had the unfortunate experience of being in Huntsville at the time and watching my community deal with the loss of a member of the force who was killed in a roadside killing. So I know the impact of the police and the role of the police in a small community.

I raise my background in Huntsville because I think it developed and reflects my view of policing in a small town. In a small town everyone is part of the community and everybody knows everybody else. People in positions of authority and trust, such as police officers, are of particular importance. I think it's crucial that the local police detachment have a good relationship with the community and that the community feel confident and comfortable with the local detachment. I feel my background in communications and public relations can assist in that sort of area.

I want to say I take this appointment very seriously. I view policing as one of the most important aspects of government activity and I've always been interested in the role of police. In our country, particularly in smaller communities, we have a tendency to take the safety of our families and possessions for granted, but it's been proven many times over that we need to be vigilant against the possible loss or abuse of the things we take for granted. We give that responsibility to our police, but it's also essential to our way of life that the police policy answer to civilian authorities.

Why do I want to sit on the police services board? One of the major reasons I want to serve on this board is because I believe in community service. I recently moved to Kincardine and I intend to live there for a long time. I want to make a positive contribution to my community, and I have a long-time interest in policing. Part of my interest in this appointment is to me it's an important way of contributing to my local community.

As I said, one of the most important things for policing is strong public relations, open communications.

Open communications, in my view, work two ways: the police need to keep the public informed of their goals and concerns, and the public need to feel free to raise any concerns they might have without fear of repercussions. I believe my background in public relations communications can allow me to assist in this.

If I had a priority, it would probably be to focus on the relationship between police and young people. In my view, there seems to be less respect between young people and the police today and I think that's something that needs to be addressed. I'm a big supporter of police in public schools and developing relationships so young people see police as somebody they can turn to if they have problems as opposed to what I think is sometimes more confrontational.

In concluding, I'd like to say that I feel local police services are a vital link between the police and the community and I'm delighted to have an opportunity to serve my community in this capacity. I look forward to your questions.

The Vice-Chair: Thank you very much, Mr Coupland. Members of the government, do we have any questions?

Mr Johnson: I have nothing other than to say, Mr Coupland, I'm glad you're here and to thank you for putting your name forward. I trust that you'll take your responsibilities seriously and perform them adequately. Thanks for being here.

Mr Coupland: Thank you.

Mr Johnson: We'd like to waive the rest of our time.

The Vice-Chair: All right. Thank you very much. Mrs Dombrowsky.

Mrs Dombrowsky: Good afternoon, Mr Coupland. I would like to understand—Mr Johnson talked about your putting your name forward. Maybe you could explain exactly how it is you are an intended appointee at this committee.

Mr Coupland: Sure. A very good friend of mine, Dr John Balkwill, is the vice-chair of the Ontario Civilian Commission on Police Services. John has been in that position for a number of years now. He and I have talked on numerous occasions on a variety of things. As I say, we're friends, but the issue of policing comes up every now and then. John knew that I was interested in it and when a vacancy was coming up there he mentioned it to me and then I expressed my interest and had my name put forward. I guess I received the appropriate approvals and here I am.

1530

Mrs Dombrowsky: You did remark earlier that you have some appreciation for the other end of the appointment process. In your curriculum vitae, you make very direct references to your involvement and work with party initiatives and so on; you liaise with the chair of election readiness and so on. Perhaps you could describe for the purpose of the public record what in fact your job is.

Mr Coupland: My current job?

Mrs Dombrowsky: Yes.

Mr Coupland: I'm currently employed with Bruce Power. I am the manager of issues and media relations.

Mrs Dombrowsky: At Bruce Power?

Mr Coupland: Yes, within the corporate communications division of Bruce Power.

Mrs Dombrowsky: I'm sorry: your title?

Mr Coupland: Manager of issues and media.

Mrs Dombrowsky: Perhaps you can explain, then, your political involvement, please.

Mr Coupland: I've worked in a variety of different political jobs in a paid capacity throughout my career, including stints in the Prime Minister's office and various government ministries, as well as for the PC Party of Canada.

Mrs Dombrowsky: What is your involvement with the Progressive Conservative Party of Ontario?

Mr Coupland: I've been a member for 20 years and I'm a supporter of the party.

Mrs Dombrowsky: Have you been active in any campaigns?

Mr Coupland: Yes, pretty much every campaign since 1981.

Mrs Dombrowsky: With regard to your role on the police services board, I'm particularly interested that you have as a priority police and youth, and I applaud you for that. I think that's certainly a very important area. Are you familiar with the VIP program in elementary schools?

Mr Coupland: Not too much, to be perfectly honest. I think I have an idea what the program is about, but I don't have a lot of specifics on it.

Mrs Dombrowsky: I'm not exactly sure if it's a program that is still in place. With budget considerations, it may very well be something that has been scaled back or is not as significant as it was when our children were attending elementary school. But it was a program in grade 6, I think, where Ontario Provincial Police officers came into the classroom for a series of six weeks and provided an educational program for students. They would come home very excited by that, that they had actually been handcuffed by the police and they had actually been able to touch some—you know, they would bring in different items that would have been seized in the commission of a crime; I would suggest weapons that would not be especially harmful. In any case, I thought it was a very valuable program and I offer that to you for your information. It might be something you would want to pursue.

You are of course aware that in a community that contracts services with the Ontario Provincial Police, it significantly reduces the extent to which you can actually be involved in the management of the service. As a representative of the community and a member of the community, has that ever been raised as an issue within your community, that by contracting with the OPP as opposed to managing your own regional force, you have lost some autonomy that would otherwise be very important?

Mr Coupland: It hasn't been raised with me directly. At Bruce Power, half our employees live in Kincardine and the other half live in Port Elgin. Port Elgin, or Saugeen Shores as it now is, does have its own municipal force, and I know the folks from that end are strong supporters of a municipal force. But I've not had anybody from Kincardine come to me and say they're unhappy with the OPP as opposed to a municipal force.

Mrs Dombrowsky: Have your municipalities always enjoyed the services of the Ontario Provincial Police?

Mr Coupland: To be perfectly honest, I don't know when the transition occurred.

Mrs Dombrowsky: That would conclude my questions, Mr Chair.

The Vice-Chair: Thank you, Ms Dombrowsky. Mr Martin.

Mr Martin: I want to say right off the bat that this is quite an impressive resumé for anybody involved in politics. How do you get the time to do that and have a full-time job? How does all that happen?

Mr Coupland: Most of the political background—

Mr Martin: Was your full-time job.

Mr Coupland: —was my full-time job. I've been employed in the political process for about 15 years or so. I just left last May to join Bruce Power, so I'm not employed as a political partisan any more.

Mr Martin: How are things at Bruce?

Mr Coupland: Very well, actually. Yesterday was a big day for us. We started our refuelling on the two reactors we're bringing up and things are moving well on that. So we're having a good time.

Mr Martin: This appointment: in accepting it or seeking it, are there things in policing that you have some concern about or issues that you particularly want to address?

Mr Coupland: Not per se. If something troubles me, I think it's what I perceive to be a lessening of respect between police and some elements, particularly younger people, in terms of how they go about their jobs. Some of the things that trouble me apply more in urban centres, quite frankly, some of the different relationships between the police and some of the ethnic groups. As near as I can tell, that's not a major issue in our area.

But generally what I'm interested in is, as I said, my experience with police growing up in a small town. They're an integral part of the community and there was a comfort level there and I think that's the sort of thing that—nothing has come to my attention that that's not the case in Kincardine. I think that's the sort of thing we need to carry on.

Mr Martin: We had the police and the chiefs of police in before Christmas lobbying us, all three caucuses, on issues that were of concern to them. Mostly it was a question of lack of resources. You've heard recently, if you've been watching, the Toronto chief of police say that after September 11 we had all kinds of announcements by federal and provincial governments that tons of money were going to go into security but he has in fact seen none. Is that a concern?

Mr Coupland: I haven't had any concerns raised with me that there's inadequate funding in Kincardine. Nobody specifically has come to me. It may well be an issue when I get on the board—if I'm accepted on the board; I shouldn't prejudge—that people may raise that concern with me. I think police have to be adequately funded to do their job, but nothing has come to my attention that they're not adequately funded in our area.

Mr Martin: You don't have issues of motorcycle gangs and the subsequent drug trade and that kind of thing that seems to be growing? At least it's certainly a growing concern in the province and raised by the police when they were here.

Mr Coupland: Again, I haven't heard that raised to us in the context of the Kincardine area. I know from time to time it pops up in Wasaga Beach or Sauble Beach, but I haven't had anybody raise it with me directly in Kincardine.

Mr Martin: One of the issues that I think falls under the rubric of concern for youth is this whole question of racial relations and racial profiling—it seems, anyway. They seem to be a group that's raising it in the bigger centres, as you say. But I think it's a problem overall, or at least it's a perceived problem. The Toronto Star put out a whole array of statistics that indicate that it's real. What's your take on it? What is the problem and do you have any suggestion as to how it might be dealt with, even though, as you say, it doesn't seem to be a big issue in Kincardine?

Mr Coupland: We're a fairly homogenous area, so it's not so much a problem there. I guess on racial relations, I tend to get nervous any time people tend to categorize a certain group, whether it be a racial or ethnic group, whether it be sexual orientation. When you start to get into stereotypes, I tend to get a little bit nervous about that. My belief is that if there's a problem within a particular community—I suspect it's my own view, and I really haven't researched this enough, but my own instincts would tell me it's probably more socio-economic than anything else. I think those sorts of issues need to be addressed. Probably in the major centres, if there's a problem with a particular ethnic community, then I think the police need to make a concentrated effort to get involved in that community, deal directly with the community and try to understand where the problem is coming from. But I don't have a lot of concrete research on that or anything. That's just my instinctive sort of approach to it.

Mr Martin: Thank you very much. That's all my questions.

The Vice-Chair: Thank you very much, Mr Coupland. It's good to have seen you. We will move forward.

1540

HARRIET WALKER

Review of intended appointment, selected by official opposition party: Harriet Walker, intended appointee as

member, council of the College of Physicians and Surgeons of Ontario.

The Vice-Chair: We're looking for Ms Harriet E. Walker. Can we check outside to see if she's there?

Interjection.

The Vice-Chair: Excellent. We're a little bit early, Ms Walker, so thank you for being here.

We will call Ms Harriet E. Walker forward, intended appointee as a member of the council of the College of Physicians and Surgeons of Ontario. Thank you for being here. You have an opportunity to make some additional remarks. Are you ready to go?

Ms Harriet Walker: Yes, I'm fine. Thank you.

The Vice-Chair: Good. We invite you to proceed when you're ready to say a few remarks and then we will begin the questioning, I believe, with the official opposition.

Ms Walker: Thank you, Mr Chairman. My name is Harriet Walker. I'm here today to request your confirmation of my appointment to the council of the College of Physicians and Surgeons of Ontario. Perhaps it's useful if I provide you with some of my background in order to determine my qualifications for appointment.

I've lived my adult life basically in London, Ontario, and Toronto, having graduated from the University of Western Ontario with honours in languages and from the Ontario College of Education with a secondary school teaching certificate, as well as having a degree in music from the Royal Conservatory of Music of Toronto.

After a number of years of teaching French and Spanish in London, I became director of communications with the Museum of Indian Archaeology for eight years, and followed this with three years at the Robarts Research Institute, a world-renowned medical research facility affiliated with the University of Western Ontario and University Hospital. I was director of communications.

In 1991, my family and I moved to Toronto and I started my own business, called Harriet Walker and Affiliates, which involved me in a number of events, including one year with the Canadian Diabetes Association, Ontario division, as development and conference organizer, and a very exciting few months organizing the royal visit to Ontario of Her Majesty Queen Elizabeth and the Duke of Edinburgh, in the role of Ontario protocol and event coordinator.

My volunteer experience has seen a focus on both medical and cultural involvement. Most recently I have just completed six stimulating and educational years as a member of the board of trustees of the Royal Ontario Museum, four years as vice-chair of the board and this past year as co-chair of the board. The legislation doesn't permit me, or a member, to continue beyond the six years. However, the board there asked me to join the ROM Foundation, where we have a substantial job now in the next few years to raise the \$200 million for the expansion.

On the medical side, I've been involved in a number of projects that might be of interest to the committee. To

begin with, while I was chair of Westminster College, which is affiliated with the University of Western Ontario, I was a founding director and ultimately vice-chair of the Westminster Institute for Ethics and Human Values, which for decades served a substantial role in addressing medical matters in particular, an experience I expect to be of value on the council of the College of Physicians and Surgeons of Ontario. That particular board had such luminary members as the Honourable Allan Blakeney, former Premier of Saskatchewan; the Honourable Bertha Wilson, a former Supreme Court justice; Dr George Connell, the president of Western and also U of T.

I took a very substantial role in creating the institute and recruiting the executive directors, one being Dr Abby Anne Lynch, one of Canada's leading ethicists, who is now in Toronto.

Since coming to Toronto, I've been involved in a number of endeavours related to the medical field. This includes stints with the Ontario Kidney Foundation for special fundraising events; New Directions, which is a crisis help centre for women; canvassing for the Ontario heart and stroke foundation, the Ontario diabetes association and the Kidney Foundation, along with working with Wellsprings, an organization for cancer survivors and their families.

Since 1993, I have been involved with Women's College Hospital and the Centre for Research in Women's Health in various fundraising events; in particular, assisting with the organizing committee for Sunnybrook hospital and Women's College Hospital, where I was in charge of protocol for various personalities, such as Elizabeth Dole, Christopher Patten, Peter Jennings and this past year, just a few months ago, Rudy Giuliani, where, I'm proud to say, we raised over a million dollars for the Centre for Research in Women's Health.

In other volunteer activities, I've been a director on the Ontario Chamber of Commerce here in Toronto and in London, and the Canadian Native Arts Foundation and the Women's Musical Club of Toronto, and of London.

My husband of 34 years is Gordon Walker, whom some of you may know, and we have two daughters, one a recent graduate from the London School of Economics and the other who is a doctor of clinical psychology in New York.

It appeals to me a great deal to be appointed to the council of the College of Physicians and Surgeons of Ontario because I feel I can make a contribution for which my past involvements have prepared me and also heightened my understanding of the medical field from a larger perspective and given me insights that I think can be useful to the college.

As the governing body of the College of Physicians and Surgeons, a council member is charged with the task of administering and regulating the profession of medicine in the public interest by establishing, monitoring and enforcing standards of practice. I believe that my medical involvement noted above, along with my communication and organizational skills and being fair-minded, will be

essential ingredients to the task of a council member, should you see fit to endorse my appointment.

Thank you, Mr Chairman, for this opportunity.

The Vice-Chair: Thank you, Ms Walker. We will begin with the official opposition.

Mrs Dombrowsky: Welcome, Ms Walker, this afternoon. Perhaps you can explain how it is you have come to be an intended appointee. Is this a role that you pursued? Did someone pursue you?

Ms Walker: When my term as a trustee was completed with the Royal Ontario Museum, Minister Tsubouchi spoke to Minister Clement, and I was approached to consider to sit on this board.

Mrs Dombrowsky: And when you were approached to consider, then you made application?

Ms Walker: Yes.

Mrs Dombrowsky: I see.

In your remarks you talked about how your various involvements to date would be of some benefit in your role as a member of the College of Physicians and Surgeons. In this particular role, some of the work that you will be required to do will be of a quasi-judicial nature, so I guess I'd be interested to know what previous experience you would have in that type of role.

Ms Walker: As I mentioned, when I was vice-chair of the Westminster Institute for Ethics and Human Values, it was dealing with ethical issues relating to all the professions, mainly medical, but they related to the law society also.

Mrs Dombrowsky: Were they specific cases?

Ms Walker: Yes.

Mrs Dombrowsky: This is a significant commitment, of course. You are aware that there are some 2,000 complaints a year lodged at the college. You're prepared to make that commitment and address that kind of a workload?

1550

Ms Walker: I certainly am. My own business I have put on hold.

Mrs Dombrowsky: Are you familiar with the HPRAC recommendations around streamlining the complaint process for the college?

Ms Walker: Only what I have read. The recommendations came in in March, I believe.

Mrs Dombrowsky: Yes, of 2001.

Ms Walker: I believe they have not been implemented yet.

Mrs Dombrowsky: No.

Ms Walker: I hope I can help in making that happen.

Mrs Dombrowsky: That does require the government to take some action, but would you be prepared to press for those recommendations that would enable the process to be streamlined?

Ms Walker: I certainly would.

Mrs Dombrowsky: You probably did receive the same background material that the members of this committee received, so you have the cases that were presented, the number of physicians who were in fact suspended by the college last year. Do you have any

comment on those cases? Do you believe that these cases were handled appropriately, expeditiously and fairly?

Ms Walker: I only know what I read in the newspapers, and I certainly hope that is the case.

Mrs Dombrowsky: Do you have any political affiliation?

Ms Walker: Yes.

Mrs Dombrowsky: Would you explain that to us, please?

Ms Walker: Yes. I'm married to Gordon Walker, who was a member in this Legislature for many years, and I am a Conservative.

Mrs Dombrowsky: And do you continue to be active?

Ms Walker: I vote.

Mrs Dombrowsky: And you are a member of the party?

Ms Walker: I am.

Mrs Dombrowsky: That would conclude my questions.

Mr Martin: Thank you very much for being here today and for the very impressive list of ways you've contributed to the public life of this province. It's quite impressive.

In taking on this new challenge with the college, and given the challenges that are out there that are bigger in terms of health care, do you have any other aspirations that you've thought about or considered in looking at this, anything that you would hope to accomplish?

Ms Walker: Like other citizens of Ontario, I've been a user of our health care system, and with the family. I would like to see more physicians practising in Ontario, particularly in our rural areas. I think we are lacking physicians there.

Mr Martin: Do you have any views on the use of other health care professionals and how they might be helped to play a larger role, perhaps, in the delivery of health care than they have up to now? Would there be any opportunity, in your view, to influence the so often imperial organization that's there now, with the doctor at the top and everybody else at the bottom?

Ms Walker: I believe the minister did say that there would be a lessening of the amount of time—I believe it's two years for doctors out of province and out of country—that they have to be here before they can get into the system and practise. Ontario is longer in that term than some other provinces. I believe it was proposed that that term would be shortened so that more doctors who are qualified would be able to get into the Ontario system to alleviate the shortages that we have. I'd like to see that pursued.

Mr Martin: That's certainly an important initiative. I know that in my own community of Sault Ste Marie we're short of doctors, as probably in almost every community, particularly in the rural areas in the north. We have had opportunity from time to time to recruit a doctor who is foreign-trained, but the obstacles have been too many and the process too long to actually make it happen for a number of reasons.

Ms Walker: And we lose good people, don't we?

Mr Martin: Yes, we do, lots of good people, although in other instances, like just recently, we were able to recruit an oncologist to come to the Soo from out of the country. The provincial government in fact has been very helpful to that end and has given him all the credentials he needs and done the necessary paperwork for him to work until such time as he has his landed immigrant status or whatever else he has to have in order to do that. So it's very good.

I'm keenly interested in how we reorganize the system so that people like midwives, nurse practitioners and other health care professionals get to play a larger role. I know that in some of the more isolated communities, where perhaps you're not going to be able to attract a doctor, you might be able to get a nurse practitioner to go in or a professional of some rank other than a trained doctor. But again, it's difficult, because in many instances they have to be under the governance of a doctor in order to get the funding to do that.

Ms Walker: I believe the supervision aspect is an important part, isn't it—if there was some way of having other health care professionals do that and yet be supervised in some way to keep the quality and educational control? I don't know; it's a pressing problem and I'd very much like to become more familiar with that and try to alleviate that, because I've heard from many parts that it is a problem.

Certainly having organized a royal visit to Ontario has taken a lot of organization. I intend to try to apply some of those skills to my committees and what I'm involved in on the board to do what I can to help.

Mr Martin: To that end, I think it would probably be helpful if people like yourself, appointed to positions such as this, would actually travel and meet and see, in order to more fully understand the difficulties that exist and that many people have to deal with in terms of getting access and that kind of thing.

Ms Walker: I think that would be great. I'd like very much to travel to do that. I think that way you get a better feeling in the community than having them come down here. I don't know how much travelling out and around is undertaken by the committees at present.

Mr Martin: I don't know either. I haven't personally been aware of any of the committees of this particular college coming to my community, for example, and holding a meeting or meeting with folks or whatever, but I think it would be an excellent opportunity and the thing to do.

Ms Walker: Certainly, I'm available. I have no family at home at this point. I have a politically involved husband who is seldom home anyway. Anyway, I think it's a good idea.

Mr Martin: Thank you very much. That's all the questions I have.

The Vice-Chair: Are there any questions from the government side?

Mr Mazzilli: Just a brief comment. Thank you very much for putting your name forward for this very

important board, and could you just pass along to Gordon that many of his constituents, particularly in the Lockwood Park area, continue to bring up his name, and that they are well served under the new riding of London-Fanshawe.

Ms Walker: I'd be happy to.

The Vice-Chair: Any other comments or questions?

Mr Johnson: We'll waive the rest of our time.

The Vice-Chair: Thank you very much for being here, Ms Walker, and thanks for getting here early. That worked out really well, and we appreciate that.

We will be moving to concurrence, but before we do, I just want to inform the committee that one item included in the December 6, 2002, memorandum has been withdrawn and we will not therefore be considering it. That was the appointment of Mr John Edward Albert Tyson to the Licence Appeal Tribunal. Mr Tyson apparently has withdrawn himself from that, so that will not be in there. We did want to make sure you were aware of that.

If we can move to concurrence, our first appointee is Mary Fickel, intended appointee as member, Niagara District Health Council.

Mr Johnson: I'd like to move concurrence on Mary Fickel, in spite of her last name.

The Vice-Chair: Mr Johnson has moved concurrence. Any discussion?

1600

Mr Martin: It's not particular to Ms Fickel, but I just wanted to bring to everybody's attention that today 95%, at least, of the appointees are members of the Conservative Party. That's pretty good.

Mr Johnson: What about that other 5%?

Mr Martin: I'm not sure about that. I'm going to do some research—

Mr Johnson: I'm really concerned about that other 5%.

Mr Martin: —to find out how that fits.

Mr Mazzilli: On a point of order, Chair.

The Vice-Chair: Have you finished, Mr Martin?

Mr Martin: Almost. We're doing some more research on that other 5%. I may be wrong; it may be 100%. But I know it's at least 95%. But that's not going to colour my voting. You'll note that I did support one of the appointees this morning and there are a couple here this afternoon that I'm considering, even though they have an affiliation that's different from my own.

The Vice-Chair: Mr Mazzilli, I apologize if it was really a point of order, or was it a comment?

Mr Mazzilli: Just a comment for the record. As you know, Mr Chair, and the people of Ontario, the people who come before this committee are selected by the opposition and the third party. Many people who are appointed to boards, particularly if they're of Liberal background, somehow are not selected to come before this board. So just a clarification for the record: these are not all the people who are being appointed to boards. Others never make it here, so I think that's the logical explanation for what Mr Martin just pointed out.

The Vice-Chair: Thank you. Any further discussion? We will then vote on the concurrence for Ms Fickel. All those in favour? Opposed? The motion is carried.

We then move to the appointment of Mr Marc Charron, intended appointee as a member of the Northern Ontario Heritage Fund Corp.

Mr Johnson: I move concurrence of Marc Charron.

The Vice-Chair: Mr Johnson has moved concurrence for Mr Charron. Any discussion? Having seen none, all those in favour? Opposed? The motion is carried.

We then move to the appointment of Mr G. Maurice Power, intended appointee as a member of the Licence Appeal Tribunal.

Mr Steve Gilchrist (Scarborough East): I move concurrence of Mr Maurice Power as an intended appointee as a member of the Licence Appeal Tribunal.

The Vice-Chair: Mr Gilchrist has moved concurrence. Is there any discussion? No discussion. All those in favour? Seeing none opposed, the motion is carried.

We next move to the appointment of Ms Lila Mae Lou Watson as an intended appointee as a member of the Council of the Ontario College of Teachers.

Mr Johnson: I move concurrence of Ms Watson.

The Vice-Chair: Mr Johnson has moved concurrence. Is there any discussion of that? No discussion. All those in favour? Opposed? The motion is carried.

We next move to the appointment of Ms Roslynne Mains, intended appointee as a member of the Social Benefits Tribunal.

Mr Johnson: I'd like to move concurrence of Roslynne Mains.

The Vice-Chair: Mr Johnson has moved concurrence of Ms Mains's appointment. Any discussion?

Mr Martin: I'd like to request a recorded vote on this one.

The Vice-Chair: Mr Martin has asked for a recorded vote, but is there any discussion? OK.

Ayes

Gilchrist, Hastings, Johnson, Mazzilli.

Nays

Dombrowsky, Martin.

The Vice-Chair: The motion is carried.

We next move to the appointment of Mr Steven Coupland, intended appointee as a member of the Kincardine Police Services Board.

Mr Gilchrist: I move concurrence of the appointment of Mr Steven Coupland.

The Vice-Chair: Mr Gilchrist has moved concurrence of Mr Coupland's appointment. Any discussion?

Mr Martin: I just wanted to make the point that in this instance we have the granddaddy of PC appointments. Not that I'm concerned about the particular appointment, but holy mackerel, this guy is loaded.

The Vice-Chair: Mr Martin made a comment. I know Mr Mazzilli wants to respond.

Mr Mazzilli: I just want to respond by saying that Mr Coupland obviously cares about his community, and this is a volunteer position. This is what we put our citizens through to volunteer in their communities.

The Vice-Chair: I'm not sure Mr Martin was actually being critical particularly; he was just noting it.

Any further discussion of Mr Coupland's appointment? Seeing none, all those in favour? All right. That certainly is carried.

We then move to the final appointment for the day, the appointment of Harriet E. Walker, intended appointee as a member of the council of the College of Physicians and Surgeons of Ontario.

Mr Mazzilli: I move Harriet Walker.

The Vice-Chair: Mr Mazzilli has moved concurrence of Ms Walker's appointment. Any discussion? No discussion. All those in favour? Opposed? The motion is carried.

That completes our work for today. We will not be discussing when we further sit at this point. We'll probably have a subcommittee to discuss that. If there's no other business, I would accept a motion for adjournment.

Mr Mazzilli: I move adjournment.

The Vice-Chair: Mr Mazzilli moves adjournment. All those in favour? Opposed? We are adjourned. Thank you very much.

The committee adjourned at 1606.

CONTENTS

Wednesday 15 January 2003

Subcommittee reports	A-181
Intended appointments	A-181
Mr James Crossland	A-181
Mrs Lynn Beyak	A-185
Mr Michael King	A-188
Mr John Brownlee	A-191
Ms Mary Fickel	A-195
Mr Marc Charron	A-198
Mr G. Maurice Power	A-203
Ms Lila Mae Watson	A-206
Ms Roslynne Mains	A-211
Mr Steven Coupland	A-215
Ms Harriet Walker	A-217

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Wayne Wettlaufer (Kitchener Centre / -Centre PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Steve Gilchrist (Scarborough East / -Est PC)

Mr John Hastings (Etobicoke North / -Nord PC)

Mr AL McDonald (Nipissing PC)

Mr Joseph Spina (Brampton Centre / -Centre PC)

Clerk / Greffière

Ms Anne Stokes

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

A-15



A-15

ISSN 1180-4335

Legislative Assembly of Ontario

Third Session, 37th Parliament

Assemblée législative de l'Ontario

Troisième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 26 February 2003

Journal des débats (Hansard)

Mercredi 26 février 2003

Standing committee on
government agencies

Intended appointments

Comité permanent des
organismes gouvernementaux

Nominations prévues



Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 26 February 2003

Mercredi 26 février 2003

The committee met at 1103 in room 151.

COMMITTEE BUSINESS

The Chair (Mr James J. Bradley): We won't be having any votes right now, so I'll bring us to order. I think it's safe to do that with the delegation that is here.

We have a couple of what I guess we would call housekeeping items to begin with. One is a requested extension of the deadline for the review of intended appointees included in the certificate of February 7, 2003. The original deadline was March 9, 2003. The new deadline would be April 8, 2003. They are: Gary Arthur Harron, Glenda O'Brien and John Adams.

Mr Bob Wood (London West): I ask for unanimous consent to extend the deadline as outlined by you, Mr Chair.

The Chair: OK. Any comments?

Mr Tony Martin (Sault Ste Marie): I'm just wondering if Mr Wood would have any intelligence for us re might we be into the middle of an election by then or what the story might be.

Mr Wood: Well, I have received important information from the Premier, but I'll have to get his authorization to share it with the committee.

Mr Martin: Do you think you could report back?

Mr Wood: I'll ask.

The Chair: Do we have unanimous consent? If we do, fine. Thank you very much, Mr Wood.

The second item is going to be a statement. We ran into a glitch with the people who feed us the appointments. I sent along a note to them, and I want to read it for the committee's sake, so you're aware of where we are. As it turned out, we'll call the problem solved, but I thought the committee would certainly want to know about this.

"Before the committee commences its ... business today, I would like to address a matter concerning the committee's agenda and its terms of reference.

"Members have been previously advised by a memorandum from the clerk of the committee with respect to an irregularity that led to the order-in-council appointment of Dorothy Cauthers to the Simcoe-York Grant Review Team. The order-in-council appointment took place on January 20, 2003—after Ms Cauthers had been selected for review by our subcommittee and prior to any

review taking place at this committee of the intended appointment.

"I would like to review for members the committee's mandate, assess the situation before us and advise of my direction as Chair."

First of all, the mandate reads as follows:

"The terms of reference of the standing committee on government agencies are set out in SO 106(e) and empower the committee with a double mandate:

"(1) to review the operations of Ontario government agencies, boards and commissions as selected by the committee;

"(2) to review intended appointments to such agencies, boards and commissions as they are referred to the committee by ministerial certificate, and then as they are further selected by our subcommittee for interview.

"The committee's terms of reference set out very detailed procedures for the intended appointments review process.

"The committee, by order of the House, has the mandate and authority to interview intended appointees whose names are referred to the committee by ministerial certificate and to concur or not in the appointment within the permitted time frames and rules.

"Notwithstanding the fact that an order-in-council document has apparently ... been signed, I find any such appointment prior to the committee's review of that intended appointee to be contrary to the spirit of the standing orders of the Legislative Assembly of Ontario and of questionable legitimacy.

"I have therefore instructed the clerk of the committee to proceed with scheduling the interview of Dorothy Cauthers so that the committee may determine whether or not to concur in the intended appointment, as is our established practice.

"Nevertheless, I find this situation to be regrettable and bordering on contempt of the committee. It is to be hoped that such irregularities or errors will not be repeated and that the spirit of openness and transparency embodied in the committee process will be respected in future by all parties involved."

Mr Wood: The Chair has correctly referred to what was in fact an error on the part of the government. I think the Chair's steps in scheduling the appointment for review were very sound. The individual involved has not participated in the work of the agency, and the government has indicated in this particular case that if the

committee does not concur in the appointment, the appointment will be revoked. So this is not something that was done deliberately by the government, as I understand it, but simply an error. We certainly want to do everything necessary in order to rectify the error. It's not the intention on anyone's part that the standing orders not be fully complied with in all cases. However, in this case there was an error, and we think what has been done does correct the error.

The Chair: Thank you. Any other comment? If not, we'll proceed with the business of the committee.

SUBCOMMITTEE REPORTS

The Chair: First of all, I have the report of the subcommittee on committee business dated Thursday, January 30, 2003.

Mr Wood: I move its adoption.

The Chair: Mr Wood has moved its adoption. Any discussion? If not, we'll have a vote. All in favour? Opposed? The motion is carried.

Second is the report of the subcommittee on committee business dated Thursday, February 13, 2003.

Mr Wood: I move its adoption.

The Chair: Mr Wood has moved its adoption. Any comment? If not, I'll call the vote. All in favour? Opposed? The motion is carried.

INTENDED APPOINTMENTS

ALFRED LIU

Review of intended appointment, selected by official opposition party: Alfred Liu, intended appointee as member, Niagara Parks Commission.

The Chair: Now we proceed to appointments review. The first is Mr Alfred Liu, who is the intended appointee as member, Niagara Parks Commission. Mr Liu, you may come forward. You have an opportunity to make an initial statement if you see fit. Subsequent to that, there will be questions from any members of the committee who wish to question you for a period of up to 10 minutes allocated to each of the political parties represented on the committee. Welcome, sir.

1110

Mr Alfred Liu: Thank you. I would like to make a statement.

Mr Chairman, members of the committee, it is an honour to be considered as a commissioner for the Niagara Parks Commission. I would like to start by telling you a little about myself. I was born and raised in Hong Kong. After graduating from high school, I worked in a hospital pharmacy as a pharmacy technician. After two years, I came to Canada as a student. I attended the University of Toronto in 1969 and graduated in 1973 with a bachelor of science in pharmacy.

I became the associate owner of the Shoppers Drug Mart in Fort Erie in June 1974 and ran a very successful pharmacy business for the next 28 years. My store was

considered to be one of the best within the chain of Shoppers Drug Mart. My business achieved good financial results year after year in both growth and profit. The success of my store was a direct result of my dedicated staff, some of whom were with me for 15 to 25 years. They not only worked as a team but, most importantly, they practised excellent customer service. For approximately five years in the 1980s I was also a partner in a local restaurant.

Being in the retail business and depending on the community to support me, I always felt the need to be really involved within the community. As a result, I was honoured with the Paul Harris Fellow Award. When I was chairman of the tourism committee for the town of Fort Erie, I had first-hand experience in dealing with the Niagara Parks Commission. I was fortunate to work with Mr George Bailey, who was the director of marketing at that time for the Niagara Parks Commission. I was an active board member for the Friendship Festival, which is a celebration between Fort Erie and Buffalo, commemorating both Canada Day and Independence Day. This event attracts approximately 500,000 people along the Niagara Parkway, from Mathers Arch to the Old Fort. I worked very closely with the Niagara Parks Commission and I believe they contributed greatly to the success of the festival.

About two years ago the chairman of the Niagara Parks Commission, Mr Brian Merritt, requested my assistance with the owner of a Chinese restaurant whose business was located along the walkway they were going to construct along the river from the Peace Bridge to Bertie Street. I was able to arrange a meeting for them.

In conclusion, I feel I'm qualified for this position for the following reasons: my 28 years in the retail business; my experience in the restaurant business; my volunteer work in the tourism industry; and my extensive community involvement, which includes working with the Niagara Parks Commission. Thank you for your consideration.

The Chair: Thank you very much, sir. We commence our questioning with the official opposition.

Mr Michael Gravelle (Thunder Bay-Superior North): Good morning, Mr Liu. Thank you for being here. Obviously, just based on what you were telling us in your opening remarks, you've got some connection and association with the Niagara Parks Commission, but we're always curious as to how the appointments do come about. I notice some of your associations in the past with the Conservative Party and I'm wondering if your local member put your name forward.

Mr Liu: No. What happened was, during my retirement party last June a couple of people asked me, now that I'm retired, can I consider sitting on some government board or agency? I thought it was just a volunteer job and I said fine, because I always like to help the community. I never heard anything about it until the middle of December. Tim Hudak's secretary asked me to get a resumé, so I gave her one. I didn't hear anything until January. The government called me that I

was appointed to the Niagara Parks Commission, but I had to come in front of the standing committee, which is a surprise to me.

Mr Gravelle: Thank you very much. What are your goals in terms of becoming a member, Mr Liu? Do you have some specific goals in terms of some changes or suggestions you want to make? Certainly we know that the casino and the Gateway project have a huge impact, but if I could just begin by asking you, what are some of the specific things you would like to do as a member of the commission and if there are even some concerns you have about how it has been run in the past?

Mr Liu: I think they've been run really well, but I understand with the casino there's some direct competition for the retail business section. But then the casino will increase the traffic, get a lot of customers, and I think they are going to turn it into an all-year-round tourist destination in Niagara Falls. So what I want to do is make sure the Niagara Parks Commission is ready for all-year-round tourism. Most of their cultural and historic sites are closed in the winter. I think they should be open in the wintertime. The other thing I noticed is that the Niagara Parks Commission is going to turn the Canadian Niagara Powerhouse into an interactive museum, which is in the right direction.

Then again, I haven't had an opportunity to look at the Niagara Parks planning section. I'm sure they have a five-year or a 10-year plan. Until I get a look at it, I really don't have much to say.

Mr Gravelle: Certainly in terms of the new Gateway casino, it will be opening in—what is it?

Mr Liu: In 2004.

Mr Gravelle: There have been, I'm sure, from your perspective some benefits of the casino. There are those of us who have concerns about casinos for different reasons altogether, which I think are important as well, but in terms of the economic benefits, I'm presuming you would say that this has been of some benefit.

I guess one of the issues out there is the belief by some that once the permanent facility is in place, the temporary one should remain open as well. What is your thinking on that, and how will you represent that as a member of the parks commission?

Mr Liu: Personally, I think that once the new one is open, the existing one should be closed, for the following reasons. As I understand it, the number of customers in the casino is down since 9/11. The borders are very strict, and 40% or 50% of the customers for the casino are Americans. So with the border and 9/11, the number is down. Secondly, Niagara Falls, New York, does have a casino now, and they draw customers. So with the new casino complex, which is much bigger than the existing one, I think there should be more capacity to fulfill the needs of the increased customers. As far as the existing casino, I think we should turn it into a family type of entertainment complex that will better serve the community.

Mr Gravelle: And I take it you'll express those views as a member of the commission.

Mr Liu: Certainly, yes.

Mr Gravelle: What about the People Mover project, as it's called, the elevated rail line? This is something where obviously again there are some issues related to the environment and other such issues as well. What are your thoughts on the People Mover project?

Mr Liu: You are talking about the transportation—

Mr Gravelle: Yes, the elevated rail line.

Mr Liu: I think any time people can circulate around the city and go from point A to point B in an easier or faster fashion, it will do good for everybody. I think the Niagara Parks Commission should endorse the project, but they should set a committee to look into it and see how they best serve the Niagara Parks Commission.

Mr Gravelle: One of the issues that comes up—we have a casino in Thunder Bay, which is my home riding, which the government still insists on calling a charity casino, even though we know it's not really a charity casino. It certainly is not licensed as such. But one of the concerns is that there is an increase in crime and a need for more police enforcement. Can you tell us what your understanding is of the situation in the Niagara Falls area in that regard?

1120

Mr Liu: I don't think I have any information like that. Certainly crime will increase where there's casino gambling. I really can't answer the question.

Mr Gravelle: Thank you, Mr Liu. I'm going to pass it to my colleague, Mr Chair.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Good morning, Mr Liu. When you were talking about the new Gateway project, I was interested in your comment that you would suggest that it be developed as a family entertainment facility. My question is, do you believe that gambling is a family activity?

Mr Liu: No, I don't think gambling is a family activity. What I mean by a family entertainment complex is some kind of activity where the whole family, young and old, can participate, rather than gambling—concerts or different types of—

Mrs Dombrowsky: Are you familiar with any studies that have been done in the Niagara community to assess the social impact of the establishment of the casino there?

Mr Liu: What I understand is that the business around the casino has increased three times what it used to be before the casino, and unemployment in Niagara Falls is way down, from 13% to about 5% right now. So I think the social impact will be good: unemployment is down and business is up.

Mrs Dombrowsky: I appreciate the point you're making, and I would suggest that maybe the information you've shared with me would reflect more the economic impact that the casino has had. But when I speak of the social impact I'm asking you, are you aware of any studies that have been undertaken to determine if, for example, the access to gambling has had any negative impact on the social fabric within the community? Are there more folks who are in need of addiction treatment services? Are there more families who are finding

themselves in crisis because they have an addiction problem? Are there more children in stressful situations or in situations of poverty because of that particular facility?

Mr Liu: Certainly there are some of those. Personally, I don't know any, but I'm sure there is a lot of impact for people addicted to gambling. The family suffers and the children suffer. But there's certainly help.

Mrs Dombrowsky: One last point: you are probably aware that the MPP for St Catharines, Mr Bradley, who is also the Chair of this committee, has been a great advocate to have the provincial GO train system extend to the Niagara region. What would your opinion be on supporting that kind of initiative?

Mr Liu: I don't even know what it is. I have no idea.

Mrs Dombrowsky: You are familiar with the GO train system?

Mr Liu: No, I'm not familiar with it.

Mrs Dombrowsky: It is a provincially supported transportation system in the GTA. It runs basically along the lakeshore, and it does have some feeder routes. How far does it go now?

The Chair: Hamilton.

Mrs Dombrowsky: It goes to Hamilton. Do you have an opinion about the benefit that kind of link would have for the Niagara community?

Mr Liu: Oh, yes. I will support it. That would be good for that region, because the QEW is always congested. It's hard to drive along the QEW, and the extra means of transportation will benefit the region greatly.

Mrs Dombrowsky: Now that you know that we have this infrastructure to Hamilton, is it something that you might, as a member of the commission, be prepared to push for, advocating that extension—

Mr Liu: Certainly.

Mrs Dombrowsky: —and assisting Mr Bradley in his good work?

Mr Liu: Certainly.

Mrs Dombrowsky: Very good. That concludes my questions.

The Chair: Thank you very much for your questions. I'll move to Mr Martin of the third party.

Mr Martin: I wanted to explore perhaps your experience, knowledge and thoughts around the actual conservation of parkland in the Niagara region and what background you have, what understanding, knowledge or experience you bring to that equation. It seems to me that one of the very important responsibilities of this commission would be the protection of the environment because you're attracting a lot of people there now. They're talking, it seems to me, from the material that I've read, about perhaps bringing in another golf course, which brings with it all kinds of chemicals and things like that that can be put into the ground, that can find their way into the water system.

First of all, what background in conservation do you bring to this position?

Mr Liu: I have no background in conservation; I'm only a pharmacist. But I do live along the river and I have

some understanding of what people want along the river and what the park is doing to the river, the lands along the parkway. The golf course you're talking about, Legends of the Niagara, I think is a good idea. I don't think they have much environmental impact on the area. I don't have any background in conservation.

Mr Martin: So you're not aware of any concerns that perhaps environmentalists living in the area are concerned with.

Mr Liu: No, I don't have any.

Mr Martin: And you have nothing to support your contention that putting a golf course in would have no environmental impact.

Mr Liu: The golf is already there. They opened last year. So there's not much anybody can do.

Mr Martin: What about further development of that nature?

Mr Liu: I think three golf courses there is enough. Further development will be some kind of outdoor activity along the river so that the whole family can participate instead of a golf course or a MarineLand type of thing.

Mr Martin: Are you aware of the makeup of the committee? Are there people on this committee who would bring to it a concern about the environment and the protection of natural resources and wildlife?

Mr Liu: I only know one member of the committee right now, Mrs Joan Brunt. She is living in Fort Erie. I don't know if she has any background in the environmental issue, no. I have no idea.

Mr Martin: OK. Thank you very much.

The Chair: Any further questions?

Mr Wood: We'll waive our time.

The Chair: Sir, you may step down.

DOROTHY CAUTHERS

Review of intended appointment, selected by official opposition party: Dorothy Cauthers, intended appointee as member, Simcoe-York Grant Review Team.

The Chair: The next intended appointee is Dorothy Cauthers, intended appointee as member, Simcoe-York Grant Review Team. Ms Cauthers, you may come forward. As I believe you are aware, you have an opportunity, should you see fit, to make an initial statement. Subsequent to that, the members of the committee will direct questions to you. Welcome to the committee.

Mrs Dorothy Cauthers: Thank you, sir. I don't know whether I'm in order, but I commend you, Mr Bradley, for pronouncing my name correctly. Do you all have a copy of this about me? Then there's no need in me reiterating it. Is that all right?

The Chair: That is fine.

Mrs Cauthers: Because it's 11:30.

The Chair: We will follow any format you see fit.

Mrs Cauthers: I can't stand bragging.

The Chair: Well then, we'll go directly to questions.

Mrs Cauthers: There are a few mistakes in that. I was district deputy, not department. And "Stephenson" has a "v." The rest is all right.

The Chair: We can go directly to questions, then. I think we start with the third party this time, Mr Martin.

Mr Martin: Why would you want this position? Why would you want to serve in this capacity?

Mrs Cauthers: People asked me. I haven't done it before. I don't know whether I'm qualified or not, but I'll certainly try.

Mr Martin: You will make decisions that others will consider very important—

Mrs Cauthers: I realize that.

Mr Martin: —in their ability to do their work and—

Mrs Cauthers: And allot the money.

Mr Martin: Yes. You don't think it would have been helpful for you to perhaps have a little more knowledge of what it is that you'll be doing if you get this appointment?

1130

Mrs Cauthers: I'm sure if I do something right, no one will say anything. But if I do something wrong, I'll be well coached.

Mr Martin: I guess I'm trying to figure out—

Mrs Cauthers: Why I'm here?

Mr Martin: Yes.

Mrs Cauthers: I was telephoned by Leta Hall, a member on this committee. She felt I would qualify. Also, Jim Wilson phoned me.

Mr Martin: Did they tell you why they thought you would qualify?

Mrs Cauthers: Did they what? Pardon me?

Mr Martin: Did they tell you why they thought you would qualify?

Mrs Cauthers: They didn't tell me everything.

Mr Martin: Are you a member of the Progressive Conservative Party?

Mrs Cauthers: Yes, I am.

Mr Martin: Maybe that's why you qualify.

Mrs Cauthers: I guess so.

Mr Martin: Is there any overarching purpose in you wanting to spend the kind of time that you will on this committee? Is there anything in particular you wanted to contribute or achieve through this?

Mrs Cauthers: I would like to think that I would research any suggestion of somebody receiving money and make sure they qualify, rather than just say, "Oh, they applied so they're going to get it." Does that make sense?

Mr Martin: Yes, it does. If my experience of this kind of thing is any indicator, given that I've served for over 12 years now and watched governments of different persuasion give out money to various and sundry groups in communities, there will be a fair amount of competition for this money. Do you have any druthers in terms of where you think money of this sort should be going or not going?

Mrs Cauthers: I would make sure it was justified. If someone had applied and someone else applied and

someone else, find out just who would benefit, that the most people would benefit, and make sure they spent it correctly. I would try.

Mr Martin: OK. Thank you very much.

The Chair: We next move to the government.

Mr Frank Mazzilli (London-Fanshawe): All our questions have been answered.

The Chair: We will then move to the opposition.

Mrs Dombrowsky: Good morning, Ms Cauthers.

Mrs Cauthers: No, I'm Mrs. I know it says "Ms" on the—

Mrs Dombrowsky: Thank you very much for coming this morning. With regard to the role that you are intended to be appointed to, you've indicated in your remarks to Mr Martin that it would be your practice to do a lot of research. I'm sure you have also received the background information, the same material that we receive. Given that you've had this information, you would be aware that there have been some recent changes to the mandate for applications for the Ontario Trillium Foundation. Do you have an opinion on those changes? Do you think they're good changes? Do you think it's appropriate?

Mrs Cauthers: I would hope it's appropriate.

Mrs Dombrowsky: Do you think it's appropriate that the well-being of library services within a community or the efficiency of those services might now depend on the ability of the Ontario Trillium Foundation to support their grant requests?

Mrs Cauthers: Just entirely?

Mrs Dombrowsky: Not just entirely, but even supplementally?

Mrs Cauthers: I think a library is so important in every community. For heaven's sake, if they need a little help, what are we here for?

Mrs Dombrowsky: What is government here for?

Mrs Cauthers: To help.

Mrs Dombrowsky: Up until now it has been the responsibility of government—local government with some assistance from provincial government—to ensure that this very important service within our community is maintained. Now we see that the government would enable libraries to access this money, or they would qualify to be considered for this money. I'm sure in your research you have appreciated the fact that there are significant volumes of application for this. I mean, \$100 million sounds like a lot of money, but there are, and I'm sure you'll come to find out, because I believe your appointment will be supported, that there are many charitable organizations within communities across the province whose only source of additional money that once came from the government is now coming from Trillium. Now they see yet another group that can access this pot. Can you appreciate the concern they have in terms of what it does to their chance to access those resources that they very much need and are very deserving of?

Mrs Cauthers: That are not libraries.

Mrs Dombrowsky: Not libraries, no, but they are organizations that heretofore have qualified to apply to

the Ontario Trillium Foundation. The point I'm trying to make is that there are already more requests for the money—

Mrs Cauthers: Than there is money.

Mrs Dombrowsky: —than there is money. So now you add to that another group, and a group that typically has received its funds in other ways. Do you think that's fair? Can you appreciate the concern of those applicants?

Mrs Cauthers: Everybody's looking for a handout, and I would hope that research into who is applying would be carefully screened. Just because more people apply doesn't mean they are eligible, really. They may want the money but maybe there's another channel that the money could be given to.

Mrs Dombrowsky: Mrs Cauthers, the government has made it very clear that these people do qualify, that municipal groups or groups that are associated with municipalities can now apply. So they've lengthened the list of people who now will be accessing that pot of money.

Mrs Cauthers: They can apply but it doesn't mean they'll receive.

Mrs Dombrowsky: This is true, but I'm sure you would agree that it makes it more of a challenge for the groups that were there, without those groups before still competing. It makes it much more difficult for them or challenging for them to access a limited—

Mrs Cauthers: Well, that's what we're here for, to do our best to channel it to the right areas; right? I would think a committee would certainly look into it. It doesn't matter how many people apply. You research who is eligible, who is trying to get a little extra.

Mrs Dombrowsky: First of all, I don't think it's a handout. I think it's a very important way to support agencies within communities that do excellent work. They are struggling, many of them, to maintain programs that are absolutely essential in many communities. The point that I'm trying to make or I guess what I'm trying to understand from you is that when municipalities find it difficult to meet their historic obligations in terms of providing services, do you think that it's appropriate that the Ontario Trillium Foundation, which was founded on some very different principles, is now including them in that fold? I'm sure you can appreciate why charitable groups are now saying, "Charities are now competing with governments, and how fair is that?"

Mrs Cauthers: Can you be specific?

Mrs Dombrowsky: You could have the local Legion that would be applying for a project competing—

Mrs Cauthers: You'd have to know what the project is. This is what I'm saying. It doesn't matter who applies. Is it a good thing or not and will many people benefit? It doesn't matter how wide the spectrum is.

Mrs Dombrowsky: So it's fine that municipalities would also be accessing this pot of money?

Mrs Cauthers: If the government has already sanctioned that.

Mrs Dombrowsky: Oh, they have.

Mrs Cauthers: And you don't like it?

Mrs Dombrowsky: I'm asking you.

Mrs Cauthers: I'm sorry. If people apply, it doesn't mean they'll get something.

1140

Mr Gravelle: I just want to pursue this a little bit more, Mrs Cauthers, if I may.

Mrs Cauthers: I think Mrs Dombrowsky asked you to.

Mr Gravelle: She passed it off to me.

I guess the point—and it does concern us; I mean, Trillium is a \$100-million fund. I'm from Thunder Bay, northwestern Ontario. We have a set amount of money that is allotted and there are many organizations that are not able to access it. There are probably two to one who apply and can't get it.

With the government now deciding they are going to allow libraries in smaller communities to access it on a one-time basis—we're very conscious of the need for libraries to get more support; we think they are incredibly important. I used to be the critic for that area and it was something we fought for very hard. The concern is that they're not increasing the pot of money. They're saying, "We're going to keep the same amount of money, but we're now going to allow libraries to apply for one-time funding."

We're not opposing libraries getting some help; it's a question that it should be coming out of the Ministry of Culture. That's where the money should be coming from. So to us—and I guess that's why we want to get your thoughts on it—it seems that we should be saying to the government, "We agree with the need for libraries, but that should be coming out of the government department that should be supporting libraries rather than tightening up this fund."

I'm sure one of the things you will hear if your appointment goes through is that we just have so many people applying for it. So the concern is that if small municipalities are now being allowed to apply for, I think, \$75,000, it's just going to make the amount of available money smaller. I think it would make sense to have the government—if they acknowledge the need for municipalities to have this help, which they should with all the downloading, and they acknowledge the need for libraries, they shouldn't be taking it out of that pot of money. They're not expanding the pot of money; they're keeping it the same. But they're adding more organizations that can access it. That seems unfair and wrong to me, and I guess we're trying to get a sense from you about how you feel about the fact.

Mrs Cauthers: What could I do about it?

Mr Gravelle: You could express your feelings about it as a member of the grant review team. We certainly feel strongly that that's an opportunity you have if your appointment does go through.

Mrs Cauthers: That's if I get on the committee.

Mr Gravelle: This seems unfair to me too. If it does seem unfair to you, I think that would be an appropriate action for you to take.

Interjection.

Mr Gravelle: Sorry?

Mr Mazzilli: Dalton McGuinty can put in his platform that he's going to fund everybody—

The Chair: I think you're out of order. Mr Mazzilli is out of order.

Mr Gravelle: Could I ask you one more question? I'm just curious as to how you feel about casinos, in general.

Mrs Cauthers: It's all right, but it's not my cup of tea. It's a way of making money, but I hope it's not mine.

Mr Gravelle: Is it a concern in terms of what happens—certainly we know that some people use casinos and become addicted to them, and those numbers appear to be increasing. Does that concern you in terms of casinos across the province?

Mrs Cauthers: Overall, yes, but personally, no.

The Chair: That concludes your allocated time for questions. I know I always seem to cut you off just when you're in the middle of your questioning, but that's the end, and that concludes all our questioning. Thank you very much for being with us. You may step down.

Mrs Cauthers: Thank you. Because we're done at a quarter to 12, does that mean you'll be back at a quarter to one?

The Chair: No.

Mr Wood: We're still going. We've got more work. You could stay and give us some advice.

Mrs Cauthers: No, thank you.

JOEL PETERS

Review of intended appointment, selected by official opposition party: Joel Peters, intended appointee as member, Ontario Tourism Marketing Partnership Corp.

The Chair: Our next intended appointee is Joel Peters, intended appointee as member, Ontario Tourism Marketing Partnership Corp. Welcome to the committee, sir. I think you're aware that you may make an initial statement, should you see fit, and then we will begin questioning. The government will have the right to ask the first series of questions.

Mr Joel Peters: Thank you, Mr Chairman. My name is Joel Peters, and I have been invited to join the board of Ontario Tourism Marketing Partnership Corp. I'm honoured to have the opportunity to appear before you today. With your permission, I'd like to spend a few minutes just introducing myself and describing for you what I believe my qualifications would be for the board.

I have been actively involved in the tourism industry since 1985 on a professional level. From 1985 through 1989 I was a management consultant in leisure time industries with Levanthal and Horwath, based here in Toronto. I specialized in the development of management plans for natural areas, protected areas—particularly areas with sensitive resources. Many of the projects I was involved in were located in Ontario. I worked up in Moosonee and Moose Factory. I worked for Algonquin Provincial Park, Balls Falls Conservation Area and also the North Shore of Lake Superior, to name a few of the projects. In the course of my life, I've travelled through-

out Ontario, and I greatly enjoy this province. It's a beautiful province.

In 1989, I joined the Toronto Zoo as marketing manager, and I served in several staff positions with the zoo until 1999. The zoo continues to be a well-loved attraction and annually sees attendance in excess of 1.2 million people.

In 1999, I had the opportunity to join the staff of the Royal Ontario Museum. I'm currently vice-president of marketing and commercial development for the ROM. In two of the last three years, ROM attendance has also exceeded one million visitors, and that's the first time it has done that in more than 10 years. That's an accomplishment we're very proud of.

Through my experience—and this may seem a little bit like common sense—I can tell you that successfully marketing a single-destination attraction very much depends on how well the province is being marketed and how well the city is being marketed. When one is responsible for attracting visitors to a particular site, you learn very quickly how much your success depends on how well-positioned and how well-marketed the overall destination can be. Hence, I really believe it's a responsibility and it's incumbent on us working within the industry to collaborate and share our insights and our expertise in order that the entire chain of marketing efforts succeeds.

Since 1999, when the OTMPC was created, I've chaired their market performance and assessment committee; that's a board committee. We're a relatively small group of people, five in total, and as a board committee, MPAC is charged with looking at how well marketing campaigns are tracked and the measuring systems that are put in place to assess those campaigns. This role has given me an overview of OTMP activities, and it's that perspective I think I would take with me to the board.

The tourism industry is, by definition, a very fractured industry. It's made up of many businesses—small, large, private and public. It's further complicated in Ontario just by the diverse nature of the province, both in human terms and in terms of our physical geography. At the same time, tourism and hospitality are very social industries, ones that deal first-hand with special times in people's lives. After all, it's all about enjoying and appreciating many of the good things life has to offer. Many young people also get their first jobs in the tourism industry, while others are earning their livelihoods from it. In Ontario, that's almost 400,000 people. It's a very important industry.

In summary, it's because I believe strongly in the value of the industry that I'm honoured to have been asked to serve on the board of OTMPC.

The Chair: Thank you, sir. We'll commence questioning with members of the government party.

Mr Mazzilli: I have just a couple of questions, sir. I certainly will be supporting your appointment to this very important board. The Ontario Tourism Marketing Partnership has been very successful. Where I become a little bit worried as we go out into our own communities is that

you have local tourism boards and so on that also want to promote tourism, and you have the different venues.

I don't know what the numbers are today, but say in Ontario it's a \$20-billion tourism industry. Of course, the Ontario Tourism Marketing Partnership, rightfully so, coordinates and wants to bring people to Ontario, and then they can go where they like and spend money—so, a bigger picture. Then, out of that pie, our local boards, whether it's Thunder Bay or London, want the ability to raise money to bring people to their area. So at the end of the day what we end up having is a \$20-billion industry, for example, and the tourism people say, "It's our industry," and the culture people will come in and say, "We're the \$20-billion industry," and the sports tourism people will come in and say, "We're the \$20-billion industry," and the agri-tourism industry will come in and say, "We're the \$20-billion industry." Collectively, they're all part of this \$20 billion, but it's the same \$20 billion. In the bigger picture at the local level, how do we get away from funding the same \$20-billion industry?

Mr Peters: That's a very good question. As I indicated, I agree with you: it's a complicated industry and there are a lot of different players in it. The power that resides within OTMPC as a model is that, through its committee structure, there are a lot of opportunities for different people to play different roles within the province, whether it's in their product development series, on outdoor committees or on their city committees. They also have a touring committee that picks up a lot of the in-between. On the marketing side, they've got groups that are focused and looking at the Americas, as well as looking at the domestic market and overseas.

When you start looking at the other parts of it—the culture and agri-business parts—I don't see a model in place where there is a coherent marketing plan and a coherent image being put forward. I think one of the valuable things about having a broad-based, diverse set of folks putting their perspectives in, as they do within OTMP, is that that leads to a model that reflects more than one perspective, and I think it does drive people into more than one industry. But the way in which it's counted then becomes a different matter. I think the motivations are driven by image and perceptions, and that has to be done well and done strongly by a central organization.

1150

Mr Mazzilli: That's my only question.

The Chair: Thank you, sir. We now move to the official opposition.

Mrs Dombrowsky: Good morning, Mr Peters, and thank you for coming. I have a question. As someone who has travelled in the United States, and I'm sure you have as well, when you travel from state to state and you cross the state border, immediately or very shortly after crossing the border there's an information centre. At the centre, there are some wonderful resources available that provide the visitor with information around items of interest for tourists both in the vicinity and also throughout the state. I had often believed that it would be an area

that could and should be developed more in Ontario. First of all, would that be the sort of initiative that the corporation would be involved in, advocate, promote and explore? Do you have an opinion on that?

Mr Peters: They are very important as a welcoming gesture as people come in and as an adequate source of information. I think the tough part of the question becomes, who should fund those visitor centres? Ontario has a lot of different points of entry. So is it reasonable that they all be funded and modelled in the same way throughout the province? If I remember correctly, there has been a provincial investment in the major travel centres: the one that people would hit as they came across at Niagara Falls, the one as they come in at Cornwall in eastern Ontario, and I believe the third one would be in the Windsor area, but I'm not positive about that. There has been some funding to get those going. My own father is a volunteer in the Amalguin area, just north of Huntsville. He has told me repeatedly that their funding from the province has been cut, but they are supported locally through the destination marketing area that they're within.

Personally speaking as a marketer, I think it would take away too much from the overall marketing effort to have the funds disbursed just in information centres throughout the province. The role of the marketing dollar has to be to motivate the trip, set the image and excite people about coming to Ontario. Again, there are other organizations and other ways in which we can do the reception and information sharing at the local levels.

Mrs Dombrowsky: Are any of those actively being pursued at the present time by this corporation?

Mr Peters: The larger centres are—material that goes into those centres. Again, I'm not familiar with all of the budget aspects of OTMPC. I don't believe that they provide ongoing operating funds for destinations like either London in southwestern Ontario or an Ottawa visit. Those are managed by SOTO, which is responsible for London, and in the case of the national capital region, the Ottawa Tourism group. They support their own centres.

Mr Gravelle: Good morning, Mr Peters. I'm curious about your role as chair of the marketing performance assessment committee too, which ties into some of the issues that Ms Dombrowsky was talking about as well. Give us, if you can, a summary of what you accomplished or were able to do, or what the role of that particular committee was and how you feel it has impacted some of the decisions that have been made recently to quite frankly change the whole set-up.

Mr Peters: That's a very good question. When I look at it from the ROM's perspective, we're spending about \$800,000 a year on marketing. From the OTMPC perspective—it's a \$30-million corporation—the fund for market research is \$1.1 million. So it's more than we have even to do our own marketing. The largest expenditure is for an ongoing market behaviour tracking study. As well, tied in with it is a study that's not only looking at consumer behaviour but at how well people are responding to the marketing campaigns.

In addition, I would look back and say that over the last four years the major success of the group has been to support the creation of a segmentation strategy. They have a travel, activity and motivation survey that was done co-operatively with other provinces and with the Canadian Tourism Commission, and that gave us a tremendous database on different people—their interests, their economic background, their educational levels, their whole demographic profile—and allowed us to look at where people are travelling and when. So from the off-season perspective, there are an awful lot of people who are more affluent—affluent couples, affluent families—whom you will find in the marketplace. As you move toward the summer season, you have all the people with time and opportunity on their hands created by summer holidays—the traditional markets, much more middle-class—who are on the road. So the target shifts by season, and I think the segmentation work we have done has allowed OTMPC to start targeting their publications and their efforts accordingly.

Mr Gravelle: To sum it up, who comes here and why, in terms of segmentation; obviously it's important to know who comes here, who may come here, why they come here and when they come here.

Mr Peters: That's right, and that allows you then to say, "Do these programs succeed, and where should we be putting our next efforts?"

Mr Gravelle: So in a larger sense, based on this information, your advice would be more in terms of, "This is where we should be spending our marketing money or our promotion money." Is that sort of—

Mr Peters: The market performance committee, from an overview perspective, tends to step back and say, "Have we got the right measures in place? Are we doing this with state-of-the-art techniques that others in the industry are using?"

For example, I'm the only one without a PhD sitting on this committee. I've got some very smart colleagues sitting around the table: a representative of York University, an individual who works with the market research group at the Canadian Tourism Commission. I guess it's looking at the techniques that are being used. The market committees themselves—and one of the things we've worked on is trying to get better timeliness on the delivery of the information. Statistics Canada is basically on a 16- to 18-month time delay before you've got information on how well you've done through the Canadian travel survey. That's just the way they work; it's one of the better statistical organizations in the world.

So what we've done is rather than have a four- or five-month, we try to get that information and we work with staff to tighten that down to two months. So by the time they're doing the next campaign, they know how well they've done.

Mr Gravelle: Did your committee have any impact on the decisions related to northern tourism marketing being separated? There was a Northern Tourism Marketing Corp, which was based out of Thunder Bay, and it was disbanded. The minister recently announced that instead

of a new set-up—it's still under the umbrella of the Ontario Tourism Marketing Partnership Corp. I'm just wondering whether some of the work you did in terms of your market assessment committee had any recommendations related to northern tourism marketing.

Mr Peters: No, we didn't.

Mr Gravelle: You didn't.

Mr Peters: We were asked if we were open to it and have indicated to the chair of the board that at any point he can refer that information to us, but they've not elected to do that.

Mr Gravelle: So you have no information related to the issue of northern tourism marketing? I ask the question as a member from northwestern Ontario. We obviously do feel it's important. We understand best what works in the north in terms of tourism marketing, and I take it you wouldn't argue with that. But still, I would think that some of the information you're gathering would be of great value to those of us—you were talking about coming through Fort Frances/International Falls, coming through Pigeon River, Sault Ste Marie.

Mr Peters: Certainly one of our emphases has been to look at how we make sure the information that's coming through centrally is getting out through the committee levels and to people in the field. But no, we have not dealt with the northern tourism situation.

Mr Gravelle: Is part of what you're doing also looking at—there's a tendency for us always to think in terms of tourism as people coming in through border points—obviously there are some issues relating to border points and we probably won't get a chance to talk about that. But were you looking in a detailed way also at Ontario citizens themselves? Certainly I think there is more and more need for encouragement for us to be using our own—obviously it's a fabulous province to visit, so did that come into the equation in a separate kind of way? Were you able to look at that as a different market?

1200

Mr Peters: Very much. The domestic market is tremendously important. I believe in overall trips, about 60% or two thirds of the number of trips taken in Ontario are taken by Ontario residents.

Mr Gravelle: That's interesting.

Mr Peters: We just recently, at our last meeting, took this information through to the OTMP board. They did a study where they aged the travel activity and motivation studies. They said, "Well, what are people doing now, and if you look at them 25 years down the road, what are those people likely to be doing and how big will the various market segments be?" They did it for both sides of the border. They looked at those very critical near-border states as well as the domestic market, and Ontario's growth in most respects will be ahead of our feeder states. We've been very used to looking at Wisconsin, Minnesota, Ohio, Indiana, Illinois and New York state as important sources, but very few of those states are growing at the rate that Ontario is growing. So 25 years from now, our domestic market will be even more

important, and when you start looking within that at the large reservoir pools we have of new Canadians who are coming through our urban areas, how do we get those people out and more active in this province? There are some very good challenges.

I was pleased to see that report come before our committee, and then we presented it to the full board.

Mr Gravelle: I would think that certainly in terms of your professional involvement with the Royal Ontario Museum you would be using the information that you're getting in a direct sense, but is there a direct relationship between organizations like ROM, and smaller ones as well, where the information you gather from the Ontario Tourism Marketing Partnership Corp is communicated to the specific attractions across the province? Is there some kind of automatic link? One would think that would be useful.

Mr Peters: It's very useful. The Web site that has been set up by OTMP has a partners side to it. There are no fees for anyone in the industry to register and become part of it. In addition, the research supplier that did the work on aging the TAM study went out and met with Resorts Ontario, met with Attractions Ontario, so there's been a lot of encouragement to see the information gets out to people who are active.

One of the individuals on our committee, Ken Lambert, is vice-president of marketing for Delta Hotels, and his reaction was a little bit like, "Jeez, I've seen 30 studies like this," and yet when we talked to the tourism researcher and she put it in front of Resorts Ontario, their reaction was, "Man, this is the first time someone has shared this with us. We appreciate it, but we realize we've got some changes to make." So there is a lot of thirst for that information within the smaller operations, and I think the committee structure helps do that. We've certainly got an orientation to do more of that.

The Chair: Thank you very much, Mr Gravelle.

Mr Gravelle: Unbelievable. Cut off again.

The Chair: I unfortunately have to cut you off again, just when you were asking some scintillating questions.

We move now to Mr Martin of the third party.

Mr Martin: I had the privilege last week of sitting in on the public accounts committee, where we looked at a review of the tourism ministry by the Provincial Auditor. He had, I think, some pretty serious criticism of the way we market Ontario. Are you aware of any of those findings or that report?

Mr Peters: No, I'm not, sir. They do have a separate audit committee of the OTMPC board that has been set up, and they have tended to take more of their financial reviews through that group. If it's only a week old, I'm not sure that's something that would be referred to us yet, but I'm not familiar with that particular report, no.

Mr Martin: Some of the criticism that was levelled was that the marketing efforts, some of the materials that were put out, weren't comprehensive enough. For example, in the north, which is where I come from, we've recognized in a number of pamphlets put out that we have a lot of really good attractions up our way. In Sault

Ste Marie we have the Bush Plane Museum, the Snow Train, Searchmont ski resort, the Old Stone House—a number of things. We noted that they weren't included, so we raised it and we got some answers back that we weren't quite satisfied with. But then the Provincial Auditor came forward and said that the materials that have been put out aren't comprehensive enough. He also made the comment that, in promoting some of the festivals, by the time the material gets out, the festivals are over. This is what he found in his research and study. In your role as the chair of the marketing performance assessment committee, did you note that at all? Is that something you happened on?

Mr Peters: We have met with some of the groups that are doing specific publications. The focus of our work in market performance has been on the overall market campaign, so it tends to be looking more at what is happening in terms of the major media, the radio and television efforts.

Publications are interesting vehicles. We do a lot of newspaper drops or we'll do a Yours to Discover Ontario guide and that will go into the Cleveland Plain Dealer, into Toledo, into Detroit etc. Some of these papers are as big as the Toronto Star. For a consumer to find those publications within the newspaper medium can be a challenge. Not everyone finds them.

What I think we're in the middle of as well, though, is this revolution of people turning to the Web for more of their travel information. I find that with my friends and neighbours, I'm just amazed at how many of them are doing very solid, thorough research on destinations over the Internet before they're travelling. We're seeing that within our own numbers, that the emphasis on publications is going down. So there is a transition going on.

I am shocked to hear there has been festival information go out afterwards; that's ridiculous. But the role of publications I think is one that we're going to see change a lot in the next few years. Will we get completely away from the paper and putting out brochures and comprehensive catalogues? I doubt if we'll ever get away from them. But they are very expensive to produce and I think what we're moving more toward is how we do that better on-line.

The question, though, on the on-line side of course is, do people have access to it? A lot of the strategy from the OTMP has been, how do we integrate things like the 1-800 number? If we can get a publication out there that's a lure brochure, that encourages people to pick up the phone and call and then information is sent back to them—whether it comes in through the Web or it comes in through a phone call or some other mechanism—publications can then be directed that way. I think we'll see a lot more of the targeting of publications that way as opposed to the mass distribution of them.

Mr Martin: I'm just a little surprised that as the chair of the performance assessment committee you didn't pick that up, that some of the comments of the Provincial Auditor didn't get picked up by somebody else who would be overseeing that. He also suggested that there

were problems in some of the contracting-out procedures of the OTMPC as well, that there were irregularities and there was misuse of procedures that made it simpler to just give contracts as opposed to asking for people to tender and make proposals.

Coming from the north, again, we're always leery of provincial organizations that don't effectively represent us. I'm looking at the list of people on this board. I guess Tobermory is about as far north as this membership seems to go. With you coming from the Royal Ontario Museum and having an interest obviously in promoting that, how do we ensure that you don't have a conflict of interest, first of all, in terms of being on this board and promoting your own organization, and that the north gets a fair shake?

1210

Mr Peters: I think there are certainly two issues there, sir. I can tell you that I park my own interests at the door in terms of when I step into the role for this committee and this board.

In terms of the northern Ontario situation, it has been an uneven situation in terms of how we're now going through a change where I understand there is going to be increased northern representation added to the OTMPC board. Bill French from Thunder Bay had been a stalwart on the group. He has stepped back now, but I believe there are two or three northern representatives who are being sought out to be brought on to the OTMPC board, and that would come through their nominations committee and through the minister. So it's certainly not my purview, but I know there are changes coming.

I think the other thing that is a trend within the industry now, and I see it here in Toronto with Tourism Toronto programs but it's certainly with OTMP programs and Canadian programs, is that we have moved to a "pay as you play" model. The programs that are succeeding are ones where there might be seed funding come from the OTMP, or it may come from CTC, and then others buy into the program.

Looking at the ROM's budget, I can't stretch it far enough to go off and do an effective job of marketing in New York state and Michigan. I need to use the vehicles that the OTMP provides to get our message through there. I think the challenge to the OTMP, whether it's Toronto, Ottawa, southern Ontario or northern Ontario, is that they have to design appropriate vehicles. The measure of that will be, will the organizations in those markets align their marketing dollars with those programs? Will they buy in and say, "Is this the best way we can reach the market? Is this the trade show we should go to?" I personally think we're better when we go underneath an Ontario brand and we go there to reach the market. It gives us some strength.

Mr Martin: OK. Thank you.

The Chair: That concludes the questioning from members of the committee. You may step down, sir. Thank you very much for being with us.

HARRY McCOSH

Review of intended appointment, selected by official opposition party: Harry McCosh, intended appointee as member, council of the College of Occupational Therapists of Ontario.

The Chair: The next intended appointee is Harry McCosh, intended appointee as member, council of the College of Occupational Therapists of Ontario. Welcome to the committee, Mr McCosh. You have an opportunity, as you know, to begin with an initial statement, should you see fit. Subsequent to that, you'll be questioned by members of the committee who choose to direct questions to you.

Mr Harry McCosh: Thank you very much, Mr Chair and members of the committee, for inviting me here today to attend this review of my intended appointment to the council of the College of Occupational Therapists of Ontario. I'll briefly provide a bit of background for you on myself so that you can better evaluate my appointment to this council.

My career was spent as a schoolteacher and administrator over 39 years in New Brunswick, Quebec and Ontario, the last 28 of which were with the Waterloo Region District School Board, where I was a teacher, vice-principal, principal, superintendent and, for the last years, chief superintendent—that is, superintendent of instruction—with the board.

Following my retirement in 1996, I was appointed to the council of the College of Medical Laboratory Technologists of Ontario for a three-year term, from 1997 to 1999, and then reappointed for an additional three years, which ended in December 2002.

I found the experience with the college to be very satisfying in many respects, and relevant to the experience that I had brought to the council, particularly with my administrative supervisory experience of attempting to maintain high standards of performance, combined with care and sensitivity to the people in one's care. I feel that I have been able to make a significant contribution to the college and to the community that uses the services of the members as well.

During my six years on council, I served each year on the executive committee and on two other statutory committees. For the final three years, I was chair of the quality assurance committee and vice-president of the college.

This is a cursory glance at activities relevant to this appointment, I believe, and I look forward to an opportunity to elaborate on these or any other matters as you see fit.

The Chair: Thank you very much, sir. We commence our questioning with members of the official opposition.

Mr Gravelle: Good afternoon, Mr McCosh. Can you elaborate to some degree on what role you hope you can play in terms of this next appointment, if it goes through? What do you think are some of the goals and objectives in terms of improving the system?

Mr McCosh: I suppose what I started out with, with the college of medical lab technologists, hasn't changed, in that my function really is to be a protector of the public interest, for one thing, for sure. Secondly, I see it as a force to work with people, to try to keep the standards where they should be right across the province, and also to keep making people aware that this is a customer service that has to really treat people with respect and dignity in all situations. I think that's the focus I had on the one college, and I would attempt to do the same.

Mr Gravelle: Did you find, in terms of your previous experience, that there was a varying of standards that you were able to identify in the time you were there?

Mr McCosh: Yes, there's no doubt about that. I have learned which labs I'm not going to.

Mr Gravelle: That's pretty interesting. Tell us what you were able to identify. I don't necessarily want you to get yourself or anybody else in trouble, but that's a pretty interesting thing to say.

Mr McCosh: The problem in Ontario, essentially, as I see it, is the problem everybody has: not having enough money and resources to meet all the needs. We've had a change over the years, some restructuring that has caused some downsizing that has done a lot to interfere with the optimism, if I can call it that, of the people who are involved. We have a shortage of people in the underserved areas, particularly in the north and east. We have people who move out of there whom we can't afford to have to move out of there. We have situations where economy has caused people to be undervalued to some degree.

Mr Gravelle: That is interesting too. What do you think the solution—certainly the restructuring of the whole hospital system has had an enormous impact on people, and very frequently in a negative way, I think. We know there are negotiations going on right now in terms of the hospital technicians, who are obviously very valuable members of the system. It's difficult to say, "This is what I think the answer is," but you've obviously given it a lot of thought and that's much appreciated. What do you think needs to change? You talked about the value, I presume, of the people who are being served, but I guess that also applies to the people who are doing the job themselves. What changes—attitude changes, but is it also financial changes—need to take place in order to improve the situation?

Mr McCosh: Essentially, the fact that people are concerned about change is one thing. They create more of a problem when they're concerned about change. They don't understand exactly what might be the end result, and they're concerned about that. But I see that we as colleges have an opportunity to help out in that regard, and I think we did, in trying to establish standards of practice that are realistic right across the province and to push employers to implement and use those standards. Oftentimes people look upon research as being the end word, and employers will say to you, "What you're saying isn't necessarily so; no one has died as a result of our practice," etc.

What we've done is brought focus groups together to get the expertise from practising people. We have standards that we think are appropriate, and we've been pushing that for employees. I think it has really helped the positive aspect where we've been able to do that.

Mr Gravelle: The government has a role to play as well, I think. What would you see that role as being? Clearly what you've done is obviously very important, but what role would you see the government has in terms of making—

Mr McCosh: Certainly the government has a very supportive role in it. I understand the difficulties in not being able to provide all the money that should be provided. Essentially, what's needed is money, support and resources. I think all the colleges feel they need more in that regard, and the one I was on was no different.

1220

The Chair: Any further questions?

Mrs Dombrowsky: Good morning, Mr McCosh. You made an interesting statement that you understand the difficulties governments have in providing the money they should be providing. When the money that should be provided isn't, what are the consequences to the people who are relying on the service? You did focus on that previously as well.

Mr McCosh: Obviously, the difficulty is that the services are not provided in some places, particularly in underserved areas in the province, for one thing. Secondly, the services that are provided are not to the standard that they are in other parts of the province.

Mrs Dombrowsky: So you've identified, then, that because the government is not providing sufficient funding, there can be a lack in service or there can be inconsistent service within a particular health profession in the province. Do you believe that the college would have a role to advocate to the government on behalf of the professionals you represent? Would you go so far as to say that the professionalism of the members is being compromised because they don't have sufficient resources to carry out their practice?

Mr McCosh: Yes, I definitely would say that the college not only has a role but that, from my experience, they are participating in that role of trying to lobby where they see, for instance, that we have more members generally retiring than we're replacing. We've been lobbying to have more faculties of training opened around the province, especially, for instance, in the north, where it's an added responsibility and difficulty for people to come south to get trained. There are all kinds of areas such as that where we as a college can participate. I, as a public member, have to be careful in that, because I represent both the ministry, if you can say that, and also the public generally.

Mrs Dombrowsky: So you have a sense that you represent the ministry?

Mr McCosh: I beg your pardon?

Mrs Dombrowsky: You have a sense that, if appointed, you represent the ministry?

Mr McCosh: Well, I'm responsible for what happens. I have to be responsible in developments that come from the college.

Mrs Dombrowsky: Could you please clarify your statement that you believe you have a responsibility to the ministry or that you are responsible for the ministry? It's very key for me to understand why you bring that impression to this role.

Mr McCosh: I'm sorry. You're seeing more to that than I intended, obviously. I simply mean that I'm appointed to be a responsible representative of the public, and in doing so I'm not there to be a lobbyist for anything except that: high standards, safety and responsibility.

Mrs Dombrowsky: Thank you, Mr McCosh.

Mr Gravelle: Do we still have some time?

The Chair: You have one minute.

Mr Gravelle: Mr McCosh, I want to go slightly off topic. You've spent many years in the education system. You retired in 1998, I believe you said.

Mr McCosh: In 1996.

Mr Gravelle: I'm just curious as to what your thoughts are in terms of the impact of a lot of the changes we've seen in the education system and, when you saw those, what impact those changes had and whether you've kept in touch with them and what your thoughts are in regard to—

Mr Mazzilli: That's out of order.

Mr Gravelle: I don't believe it's out of order.

Mr McCosh: I had no trouble retiring. The fact is, as you know and as everybody knows, the reaction from educators has been disturbing to the public generally because of the fact that they felt they were not appreciated. Attempts to change things which may have had a basis in needing some change—I'm not saying there was no change needed, but how the changes were implemented exacerbated the problem and, again, destroyed some of the good feeling the teachers had, generally. I guess that's not news.

Mr Gravelle: But you sort of shared those concerns, I take it?

The Chair: We're now out of time. Mr Mazzilli will be happy to know that you're out of time.

Mr Gravelle: Mr McCosh is very thoughtful.

The Chair: We move now to the third party.

Mr Martin: Thank you very much for coming, Mr McCosh. Obviously you're a person of some significant experience and background and education, and you have some time on your hands now because you're retired. Looking at things that you could do to contribute to the public good out there, you chose at this time to be part of the College of Occupational Therapists of Ontario. Why would you choose that over perhaps other things that you might get involved in?

Mr McCosh: I suppose that my experience with the College of Medical Laboratory Technologists of Ontario, where I learned about the Regulated Health Professions Act and the professional procedures act, lean me toward using that information in this. I'm involved in a number

of other things in the community, such as Skills Canada. I've been very actively involved from the very beginning in Skills Canada.

So, why this? I think my experience with the group of people who were working in a variety of situations in hospitals and in labs outside of hospitals would lead me to look at the colleges, where people are working in and out, because of the differences and some of the problems I saw that were in the differences.

Mr Martin: How did you wind up getting appointed to this particular panel, as opposed to—

Mr McCosh: Actually, the chairperson of the board was a local member, and at my retirement party she asked me if I'd be willing to be on a college. My response was, "I am not looking for full-time work; I'm retiring." She said to me, "This wouldn't be full-time work." I then investigated and thought that yes, that's one way I can make a contribution back to the community.

Mr Martin: Where this business is concerned, and it's certainly an important oversight responsibility, is there anything in particular that jumps out at you that needs to be attended to?

Mr McCosh: The things I've just mentioned about the difficulties of getting people into underserved areas.

There was one other thing that I think bothered me particularly. In hospitals and places such as that where there is a union, the people have security, safety and proper procedures that have to be followed, and I was used to that as an administrator; I had to go through proper steps. I saw instances where there is no union, where there are people working for a lab or whatever who have worked there for a number of years and have done really good work, and when the downsizing happened, then it was expedient for people to find one error, which would not have had the person fired, and then fire them. We as a college simply got the word that this person had been dismissed, and then the person is out of our control, as an example. They're not under our control, essentially. We lobbied hard to try to do something about that, but our power was very little. That, I think, was the thing that hit me hardest of all: the lack of power that a college had.

Mr Martin: Thank you very much.

The Chair: The government party.

Mr Mazzilli: Mr McCosh has answered all questions very well. We're prepared to waive the remainder of our time.

The Chair: You're speaking on behalf of Mr Gilchrist as well?

Mr Wood: Well, no. I'll speak on behalf of him: we'll waive our time.

The Chair: Thank you very much, sir. We appreciate it. You may step down.

Since we have a full committee here, it would probably be appropriate that we deal with the intended appointees from the morning so that doesn't stack us up in the afternoon. If that's permissible, we will do so.

The first individual was Mr Alfred Liu, who is an intended appointee as member, Niagara Parks Commission.

Mr Wood: I move concurrence.

The Chair: Any discussion?

Mr Martin: I just want to put on the record some concern that I have re his background and lack of knowledge or experience or ability to share with us conservation issues where this commission is concerned, the impact on the environment of further development—the further development of golf courses, for example. I think it behooves us at this point, as we move aggressively in the area of developing attractions etc in particular in the Niagara area, where the casino is now attracting larger numbers of people, to have people appointed to these commissions who have knowledge, interest and background in the protection of our natural environment. Unfortunately, even though Mr Liu perhaps will bring to this position a background in business, he certainly doesn't bring any background in the area of conservation.

1230

The Chair: Any other comments? If not, I'll call the vote. All in favour of the motion? Opposed? The motion is carried.

The next intended appointee was Dorothy Cauthers, intended appointee as member, Simcoe-York Grant Review Team.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence in the appointment. Any comment from members of the committee? If not, I'll call the vote. All in favour? Opposed? The motion is carried.

The next intended appointee was Mr Joel Peters, intended appointee as member, Ontario Tourism Marketing Partnership Corp.

Mr Steve Gilchrist (Scarborough East): I move concurrence.

The Chair: Mr Gilchrist has moved concurrence. Any comment?

Mr Martin: Just a couple of concerns that came up in my questioning of the intended appointee. One is that as the new chair of the marketing performance assessment committee he had no knowledge of the very serious critique that the Provincial Auditor made of that organization.

I think he'll also run into a bit of a conflict of interest in that he presently works for the Royal Ontario Museum, which will compete with other attractions across the province for resources and opportunity and some of the vehicles that will be used to market and promote Ontario. That could create a conflict of interest for him.

I also believe, in looking at the list of people who sit on that board, which is in the package we were given, that the government needs to really look hard at trying to find some people from northern Ontario. There is nobody. As I said, the farthest north we go, it seems to me from the list I look at, is Tobermory, and that's just not sufficient or acceptable.

I would hope that perhaps we could this morning retain that position by not making this appointment, such that somebody from the north could be appointed to that board, given that that board now brings in the whole marketing of northern Ontario effort given that the government wound up the Northern Ontario Tourism Marketing Association a few months back to replace it just recently with an add-on to the Ontario Tourism Marketing Partnership Corp. If something isn't done immediately to ensure that there is significant presence at this board on behalf of the north, I think we will be even worse off or less served than we were under the northern tourism marketing association that obviously had some serious problems attached to it; otherwise it wouldn't have been done in in the very quick and summary way that that happened.

There was also a criticism by the Provincial Auditor that the periodicals that were being put out by the Ontario Tourism Marketing Partnership Corp weren't comprehensive enough. Our review of them—myself and my colleague from Nickel Belt, Shelley Martel—indicated that in most instances when brochures came out, the north didn't make the grade; we just weren't there. Again, because of that and the fact that in some instances the auditor suggested festivals were being promoted that had already happened—we have a number of very important festivals in the north. If we don't have somebody at the table making sure they're in, in a timely fashion, they may get missed or dropped or be included late. That would be tragic, given the effort and the investment that is made by so many people in those events to try and ensure their success.

I have some concerns here in this appointment. I think there is a conflict of interest. I wasn't impressed with the fact that the intended appointee had really no knowledge of the critique by the auditor of that organization, given that he's chair of the marketing performance assessment committee, and the fact that we need more—and we need it immediately—representation from the north on that board. So I won't be voting for this appointment.

The Chair: Any other comment? I will call the vote. All in favour? Opposed? The motion is carried.

The next intended appointee was Harry McCosh, intended appointee as member, Council of the College of Occupational Therapists of Ontario.

Ms Marilyn Mushinski (Scarborough Centre): I move concurrence.

The Chair: Ms Mushinski has moved concurrence. Any comment? If not, I will call the vote. All in favour? Opposed? The motion is carried.

That brings to a close the proceedings from this morning. I should indicate to members of the committee that it may be that we will finish a bit early this afternoon. I'm just gauging from what happened in the morning in terms of the questioning and so on. It may be that we may finish a bit early. I have suggested to our clerk that people be contacted at least to be ready a bit early in case that is the situation and the committee can end its deliberations in a timely fashion. So we'll all keep

that in mind. I'll try to begin at 2 o'clock sharp or have everybody ready to go. I'll hit the gavel at 2 and be all set. I appreciate that very much from members of the committee. The meeting is recessed.

The committee recessed from 1237 to 1400.

RUPINDER PANNU

Review of intended appointment, selected by official opposition party: Rupinder Pannu, intended appointee as member, Ontario Film Review Board.

The Chair: The committee is called to order for the afternoon session, which was scheduled to commence at 2 pm. We have representatives of all three parties here, so we move right to our intended appointees. The first one is Rupinder Pannu, who is an intended appointee as a member of the Ontario Film Review Board.

Sir, you may come forward. You are welcome to make an initial statement, if you see fit. If you don't see fit, that's fine as well. Welcome to the committee.

Mr Rupinder Pannu: Good afternoon, Mr Chairman and members of the committee. It is with great pleasure that I present myself before you this afternoon for consideration for the Ontario Film Review Board. I would like to be granted this opportunity to serve as a member of the Ontario Film Review Board as I believe I would make a positive contribution in serving the board, as well as representing the best interests of the community.

Born in the city of Toronto, I have learned to appreciate diversity and the multicultural environment in which I have been raised. Also, my educational experience has broadened my outlook by bringing me in contact with people from a wide range of different ethnic, cultural and linguistic backgrounds. Having many friends who are of various cultural backgrounds also enables me to understand and gain appreciation for the uniqueness of different cultures. This greater awareness has also illustrated to me the importance of tolerating sensitivities that exist in other communities.

Born into an East Indian family, I am well acquainted with the community and the culture. I speak fluent Punjabi, and in addition to this I regularly watch Hindi films and other Indian programs. In my personal life, I am very busy as I am a full-time university student and a volunteer at my local religious centre, the Malton Gurdwara, which is the temple located in Malton, Mississauga. To juggle everything and to meet my requirements, I have had to become a good problem-solver with excellent organizational and time management skills. I also feel that I am a fair-minded individual who can be objective.

Although I am of a young age, I'm confident that this will be an asset for the board as I will bring youthful energy and motivation. I would therefore consider it a pleasure to serve on the Ontario Film Review Board. Thank you.

The Chair: Thank you very much, sir. We commence our questioning with the third party.

Mr Martin: Thanks for coming this afternoon. It's quite a responsibility that you take on here today. What

do you feel, other than your youthfulness and your energy, qualifies you to perform in this capacity for the people of Ontario?

Mr Pannu: I feel that I'm capable of performing in this capacity as I understand that it is a great responsibility to serve in the public sector. Being born in a very multicultural society like Toronto, I understand the sensitivities that exist in various cultures and I understand the importance of respecting and tolerating one another. York University, which I attend, is very diverse. I meet many different people there of many different ethnicities and interact with them. So I do believe that I am capable of making decisions that reflect community standards, as well as making decisions that would be in the best interests of the board.

Mr Martin: Do you do a lot of reading?

Mr Pannu: Yes, I do.

Mr Martin: What kind of stuff do you read?

Mr Pannu: All sorts of literature: some novels, autobiographies, academic-affiliated literature, some science literature, as well.

Mr Martin: How did you come to be considered for appointment to this board?

Mr Pannu: I actually met a local MPP, whose name is Raminder Gill. I've met him at the religious centre many times and I've also met him at many community gatherings. I've spoken to him about many issues that I feel passionately about. We got to talking, and when we spoke together, I asked him if it would be possible that I would be able to seek a position that would be involved in the government somehow. He told me that the Ontario Film Review Board would be an appropriate position for someone such as myself.

Mr Martin: Did he explain to you why he thought you would be a good appointee?

Mr Pannu: We've met on several occasions at many religious gatherings and community events and he hasn't specifically told me why he thinks I would be a good appointee. From what I understand, I believe that he thinks I'm a passionate and fair-minded and objective individual who can make critical decisions.

Mr Martin: Have you helped him at all in his campaigns?

Mr Pannu: No, sir. I have not.

Mr Martin: Are you a member of his riding association?

Mr Pannu: I'm a member of Bramalea-Gore-Malton-Springdale, which is his riding, but I am not a cardholding member and I do not have any political affiliation with him or any other parties at the provincial or federal level.

Mr Martin: OK. Those are all my questions.

The Chair: We'll move to the government caucus.

Mr Wood: We'll waive our time.

The Chair: We move to the official opposition.

Mr Gravelle: Mr Pannu, welcome. Good to see you. The issue of community standards is a tricky one, as I think you acknowledged. How would you define it? Certainly there are those who are critical of the Ontario Film

Review Board for being too liberal in terms of the interpretation. There are those who are critical of it for banning certain films which later on they recognize have some real artistic merit, and with the rating system, they shouldn't have banned them. There have been some interesting examples recently.

Are you familiar with some of these examples that I'm referring to and can you give me at least a sense of how you would define community standards?

Mr Pannu: Yes. Some of the examples—actually, a fairly recent one—I'm not sure if anybody read yesterday's Toronto Star—was about the film *Irreversible*, which was a French film. There was also another film, *Fat Girl*. There are a lot of differences of opinion on these two films, whether or not they should be viewable for the public. Some advocacy groups do not agree with the way violence and women are depicted in these films.

I think any time you have something that's controversial, you have to do your best to make the best judgment. You must weigh the pros and the cons to make a good judgment, to make a good decision. Also, one women's advocacy group was mentioning whether, in some of these films, the violence is gratuitous and whether it's needed.

I understand that the board has been under a lot of fire and scrutiny in the last year or so, and I also understand that the chair has resigned. So when making decisions, I think, as I mentioned before in my opening statement, it's very crucial to understand the sensitivities of the communities. However, at the same time, you have to do what's best for society and the board as well.

Mr Gravelle: Do you support the rating system? You're familiar with the rating system that's in place now. They're setting up a new system, I believe, or talking about one, in terms of 18A and 14A. Do you think that's a system that is effective?

Mr Pannu: I think it is a system that can be effective. I think we need more time to decide whether or not it is effective, because it has just recently been changed. I don't think it would be wise for me to comment, to make a judgment to say that I think it's ineffective or it's effective, because I don't think there has been adequate time to make a judgment on whether the changing of the ratings is ineffective or effective.

Mr Gravelle: As you acknowledge and as we see in your resumé, you are a very young man, which is by no means a bad thing. We all wish we were younger—at least I do. I'm curious as to what our own tastes are even in terms of film. Would you have a sense of the films that you have gone to see in terms of some that you would perhaps have thought were either inappropriately rated or—it would be useful just to get a sense of the kinds of films that you personally find of interest.

1410

Mr Pannu: There are no particular films that I do find of interest. I'm open-minded. I love to watch films of all sorts of different cultures and backgrounds. For me, I'd like to judge the merit on the film. To me, a good film has a great storyline, a great plot.

Most people—well, I don't want to say “most people,” but young, adolescent youth like to watch films that are action-packed, where the storyline is fast. But for me, I just like to watch films that reflect life in general, about all sorts of issues: controversial issues, documentaries, autobiographies, any sorts of films that are of interest, rather than just one genre or one type of film. So I do not have any particular interest. I think my interests would be wide and they would be very broad, so I'm open to watching all types of films.

Mr Gravelle: Do you play video games?

Mr Pannu: Not too much, but I am familiar with the issue of video games and video game violence.

Mr Gravelle: Do you think there should be some regulation for video games?

Mr Pannu: I think there should be some regulation for video games. One of the issues was whether or not the industry should regulate itself. There might be dangers with the industry regulating itself, in the sense that the object of the people who create video games is a target market, which is from a certain age to a certain age bracket, and what they want to do is maximize their profits. But I do see the dangers in not having any ratings at all, as some of the games are very graphic and very violent. As technology advances, everything becomes more—in terms of video games, we've seen this. For example, the new gaming systems are more realistic; they're more graphic. The violence is also more graphic. So I think that with children it can be a serious issue. You don't want your children to become desensitized to this type of violence or to totally disregard and not understand what's going on in the films. I think it's important for parents to know what their kids are doing, what their kids are playing, what type of games their kids are playing, and also to have a balanced approach.

Mr Gravelle: Do you think the Ontario Film Review Board should be involved in the regulation or at least the branding of video games in terms of those aspects you talked about—the violence?

Mr Pannu: I think the Ontario Film Review Board should definitely look into the issue and decide ultimately what's best, if that's the most appropriate right now. I don't have enough training or don't have enough, I would say, expertise on that issue to make a judgment.

Mrs Dombrowsky: Good afternoon, Mr Pannu. Have you had an opportunity to review the article that was in the Toronto Star yesterday?

Mr Pannu: Yes, I have.

Mrs Dombrowsky: So you would have noted that for the same film in British Columbia, when the film was rated there was a different type of rating assigned to it than the one that will be assigned or has been assigned in Ontario. The Ontario Film Review Board has indicated that the film *Irreversible* would be rated Restricted, with warnings of coarse language, nudity and sexual violence. In British Columbia they chose to, in my opinion, be more descriptive and indicated that the film is rated “R,” with warnings of brutal and prolonged sexual violence,

which in my opinion tells a very different story about what is contained in the film.

Do you think it would be appropriate for the Ontario Film Review Board to perhaps reconsider some of the descriptions and how it directs the management of the release of some of the films? It was also noted in the media that in British Columbia, in the movie theatres where this film will be released, the government has called for extra supervision at the theatre doors to keep minors from sneaking in. So obviously the content of the film is of a very serious nature, and the film review board in that province thought it merited that kind of (1) special description and (2) extra intervention at the place of showing. Do you have a comment on those kinds of measures? Would they be the sorts of things you might be prepared to advocate, initiate, in your role as a member of the board?

Mr Pannu: I would definitely have to look deeper into the issue, but I can comment on one of the policies. You mentioned that at the doors of these theatres they're now checking to see that minors do not enter. I think that's a positive step, because ultimately you want to protect the children of our society. If someone is not capable of understanding the content of a film at such a young age, then I do see the dangers of letting young people in to these types of films. Many times, there is nobody at the door of the cinema, and they are not accompanied by adults. I do think this is something the film review board might want to look into.

Mrs Dombrowsky: Would you be of the mind that the description offered by the review team in British Columbia provides a different description than the one that has been offered by the Ontario Film Review Board?

Mr Pannu: I can't comment on why they made that decision.

Mrs Dombrowsky: I'm not asking why, but would you agree that they are in fact different and that a different sort of film comes to your mind after reading both descriptions?

Mr Pannu: I'm sorry; could you please rephrase the question?

Mrs Dombrowsky: When you read the rating in Ontario, it indicates that the film is Restricted, with warnings of course language, nudity and sexual violence. In British Columbia, the same film is Restricted, with warnings of brutal and prolonged sexual violence. Does that give you a sort of different image of the film in your mind, and is it the kind of thing we should probably be looking to consider in this province?

Mr Pannu: I think the Ontario Film Review Board has to view the film and make a judgment for itself. I don't think we can always look to other provinces. It would be unwise to make such a judgment without viewing the film yourself. I don't think it would be in the best interests of the board to make such a judgment and comparison without actually reviewing the material.

Mrs Dombrowsky: Could I ask what artistic experiences you have in your own life? What experiences do you think might qualify you for a role on this board?

Mr Pannu: I think I have many artistic experiences. For example, I have done lots of volunteer work at our local temple, so I've met with many community members. Also, at university I took a few courses in art, and I'm also taking liberal arts and my major is economics. So I do think I'm diversified, in that sense.

Mrs Dombrowsky: With respect, Mr Pannu, there's not a direct connection between economics and the arts. Might I just ask, in terms of your background, do you watch a lot of movies, do you go to a lot of plays?

Mr Pannu: Yes, I do—not particularly plays, but I do watch a lot of films. I actually watch a lot of Hindi films.

Mrs Dombrowsky: I'm sorry?

Mr Pannu: I actually watch a lot of Hindi films, Punjabi films and English films from Hollywood. Hollywood is the biggest film producer in the world, and the second-biggest would be India—I'm not sure if you're familiar, but they call it Bollywood. So I am very familiar—

Mrs Dombrowsky: Do you go to theatres, or do you watch movies in your home?

Mr Pannu: I attend theatres, and I watch movies at home as well.

The Chair: The time for questions is concluded. The three political parties have had their opportunity. You may step down, sir. Thank you very much for being with us.

1420

RYAN CLARKE

Review of intended appointment, selected by official opposition party: Ryan Clarke, intended appointee as member, Council of the Royal College of Dental Surgeons of Ontario.

The Chair: The next intended appointee is Ryan Clarke, intended appointee as member, Council of the Royal College of Dental Surgeons of Ontario. Mr Clarke, I think you're aware that you are permitted to begin with a statement, should you see fit, and then be questioned by members of the three parties if they choose to do so. Welcome, sir.

Mr Ryan Clarke: Thank you, Mr Chairman and members of the committee, for this opportunity to appear before the standing committee on government agencies and to answer any questions you may have pertaining to my proposed appointment to the Council of the Royal College of Dental Surgeons of Ontario.

By way of background, I am from Dundas, Ontario, where I lived until approximately six years ago. I currently reside in Mississauga. I received both a BA and an MA from McMaster University, and then went on to study law at the University of Western Ontario. I was called to the bar in 1995. After practising for about three years in Hamilton, I took a job as special assistant to the Minister of Energy, Science and Technology here at Queen's Park, where I stayed until August 1999. Since that time, I have been employed at GlaxoSmithKline, where I work in the public affairs division.

I left the practice of law some years ago because I wanted to serve the government of the day. Since that time, and specifically since re-entering the private sector, my involvement with community-based organizations has remained active. I serve on various committees of the Oakville Chamber of Commerce, the Mississauga Board of Trade and the Ontario Chamber of Commerce. The opportunity I have been afforded to work with a variety of business people on these committees has helped me expand my scope of understanding on a range of issues.

My interest in the college that regulates the dentistry profession in Ontario represents a further extension of my willingness to serve. I believe that people in this province have the right to expect competent and professional care by those who work in the health field, and if selected, I will serve with this overriding premise in mind. As well, my legal training will allow me to actively participate in the quasi-judicial function of various committees of the college, if permitted to do so. I look forward to the challenges of this appointment and believe myself suitable to serve at this time.

Thank you once again for permitting me to appear, and I would be pleased to answer any of your questions.

The Chair: Thank you, sir. We'll commence our questions with the government party.

Mr Wood: We'll waive our time.

The Chair: The government has waived its time, so we move to the official opposition.

Mrs Dombrowsky: Good afternoon, Mr Clarke. Would you be able to tell us how you have come to be an intended appointee here this afternoon?

Mr Clarke: Certainly. Having worked at Queen's Park, I was of course aware of the public appointments process and the fact that the government of Ontario has a number of appointments. Probably about a year ago, I contacted the Premier's office directly to inquire about any opportunities to serve. Since that time, there has been various communication back and forth waiting for the right opportunity to come forward, and when this one presented itself, I decided to put my name forward.

Mrs Dombrowsky: If you could just remind me, you worked at Queen's Park for whom?

Mr Clarke: I worked for Minister Jim Wilson from November 1997 until August 1999.

Mrs Dombrowsky: And it was through that work experience that you became aware of agencies, boards and commissions?

Mr Clarke: That's right.

Mrs Dombrowsky: So you didn't have any particular interest in serving on the college of dentists, but you wanted an order-in-council appointment.

Mr Clarke: That's right. When I initially approached the Premier's office, it was not specifically with this potential board in mind; it was just with a willingness to serve.

Mrs Dombrowsky: I'm sure you've had an opportunity to read the same background that committee members receive, and from time to time we hear about the issues that are highlighted in the background material.

Can you perhaps explain to me your understanding of the order issue between dentists and dental hygienists?

Mr Clarke: Yes. I understand from the background material that there is an issue around the ability of hygienists to perform certain functions subject to the direction of a dentist. The issue revolves around whether hygienists should have the ability to do it without a direction, or whether that direction from a dentist to perform those particular functions is necessary. I understand that over a period of time starting in the mid-1990s there has been quite a bit of back-and-forth concerning this issue.

I know there was a proposed amendment to a regulation, which the college of dental surgeons put forward, to further clarify the direction they would give hygienists around performing this particular act. My understanding is that technically that amendment to the regulation is still before cabinet and has not been dealt with, although that was, if I read the material correctly, about five years ago.

Beyond the material, I'm not familiar with exactly where the issue sits, other than to say that I think the minister of the day suggested that both the hygienists and the dentists should try to get together to try to work out this issue. I understand that was not done. In my opinion, certainly that may be an effective way to start the process rolling, if these two sides are going to get together and get this issue resolved.

Mrs Dombrowsky: It is a very important issue. Perhaps you could explain to me your understanding of its impact within the community as long as it goes unresolved.

Mr Clarke: I understand there's a financial impact as well. The cost of the procedure, if performed by a hygienist, is somewhat less than it is if performed by a dentist. And there's the issue of—I don't know whether "stand-alone clinic" is the right term—the ability of hygienists to do this procedure on their own versus having to set up shop within a dentist's office and that sort of thing. So to the extent there is a financial impact, I understand that's there.

As I said, I've read the same material that you've read. I'm not going to presuppose that the information isn't correct, but I will simply say that I believe it represents one view of the information. I haven't explored it in any detail to understand any differently than what I've read as well as you.

Mrs Dombrowsky: I have had the occasion to speak with some people who are involved in the dental health profession on this issue. When I read the material that was presented, I thought it was done very objectively. For me, the issue, as a representative of constituents in a part of the province where transportation is an issue—there is no municipality in my riding that has a public transportation system, for example—is that accessing dental services can be a challenge, particularly for younger families and for seniors. The services that would be made available to them, for example, if dental hygienists were able to visit at nursing homes or nursery schools,

would be a significant advantage, an enhancement of services for the people in these communities.

I am speaking as a rural representative, but I believe the same issues that exist in my riding exist in urban centres as well. I am concerned about the fact that we have professionals who are trained. We have a report—the Health Professions Regulatory Advisory Council report—that would say the scaling practices can happen very safely without the order of a dentist. I guess my take on this, Mr Clarke, is that the people of Ontario are not able to access a health service as conveniently or as cost-effectively as they perhaps could. For me, it's very important that I have this opportunity to make this point to you as someone intended to be appointed to a council where I expect you might hear a different perspective, and I appreciate there certainly can be more than one on this issue.

I think it's very important that if the goal is to provide good dental health within communities, this is an issue that really needs some attention and needs it now. In my opinion, we should be looking for ways to make the service more available. We know today, more than ever before, that good dental health has a significant impact on the overall health of individuals, particularly seniors.

That's my commercial for you here today. I'm really happy that I've had this opportunity so you can hear the perspective I hear from people in my riding.

The Chair: Mr Gravelle.

Mr Gravelle: Good afternoon, Mr Clarke. I'm just a little curious. You're still the senior manager, policy and government relations, with GlaxoSmithKline, correct?

1430

Mr Clarke: That's correct.

Mr Gravelle: That position is one in which you have a pretty interesting relationship with the government in terms of your responsibilities in terms of working out strategies, lobbying and working with the government. There's something about this that seems—I will say the word "strange," but I don't think it is strange. I'm just a little curious as to why you would want to be on this particular agency when you have this relationship with the government. So I'm curious as to whether or not you can see any kind of a semi-conflict involved here. I don't mean to be reaching. It just strikes me as—

Interjection.

Mr Gravelle: In your position, I'm a little surprised that you would be seeking to be on a government agency, and perhaps even particularly this one. I don't know if you've given it any thought at all. Your professional life is one where you're dealing with the government quite frequently.

Mr Clarke: Yes, I'm certainly dealing with the government as the government and as the party in power and also as opposition parties. I don't think there is an inherent conflict. As with many cases, there is the opportunity for conflict. I've reviewed the bylaw that deals with conflict with respect to the board. I'm certainly well aware of conflict issues from the practice of law and other experiences I've had. GlaxoSmithKline is

in the pharmaceutical business, as you all know, and in the normal course of my duties on this board, I don't suspect that I'm going to be dealing with pharmaceutical issues.

Mr Gravelle: It's possible, though, right?

Mr Clarke: Exactly. However, if the board were called upon to deal with that issue, pursuant to what for me would be common sense as well as the bylaws of the board and, quite frankly, my professional obligations as a lawyer, I would certainly recuse myself from any and all involvement in the discussions that might relate to the pharmaceutical industry, no question about that.

Mr Gravelle: I appreciate your acknowledging that possibility, but that, again, is what begs the question, I suppose, of why you would be seeking to be on an agency of the government where indeed that could be perceived even in a remote way. I just found it strange, because obviously you were interested in getting involved with a government agency, and this particular one just seems to me to be maybe somewhat on the edge in terms of whether or not you could be involved in a situation where you'd have to say, "I shouldn't be involved in that." That's what strikes me as somewhat strange. Did you think about that at all before you allowed your name to come forward?

Mr Clarke: I certainly did. Any agency that's involved in health care at all could potentially, I suppose, have a conflict. Having said that, though, and taking a look at this board, by the judgment I made, there wasn't going to be an inherent conflict. In fact, I felt the likelihood of conflict was quite small. I also felt that if conflict did arise, it could be dealt with and I could recuse myself.

Mr Gravelle: Do you see it as an advantage, though, to perhaps be a member of a government board or agency in terms of your professional relationship? Is there some sense that your company might view it as an advantage?

Mr Clarke: No.

Mr Gravelle: That's essentially my question.

The Chair: That concludes your questions.

Mr Gravelle: I'm through anyway, aren't I?

The Chair: I always like concluding them for you. Next will be the third party.

Mr Martin: I still haven't heard, and maybe I missed it, what it is, other than your desire to serve the public, you bring to this board, why you would want this particular appointment and what you would want to achieve in doing this.

Mr Clarke: Why this particular appointment? Because beyond just serving, I have an interest in health care and somewhat of a background in health care with respect to the job I currently hold. So I think there's certainly an interest there. In terms of what I can bring to the board, as I outlined, I think my training and background allow me to serve in a quasi-judicial function, which is called upon in some of the committee work that I know is required. So if permitted to do so, then that's certainly a function I believe I could fulfill.

Mr Martin: Why did you leave the employ of the government back in 1999?

Mr Clarke: Because I chose to return to the private sector.

Mr Martin: Is there any particular reason?

Mr Clarke: I suppose because I come from the private sector. I wanted the opportunity to work in government, but when I arrived at Queen's Park it was not my intention to make a career out of serving full-time, so I had an interest in returning to the private sector.

Mr Martin: OK. I guess you could tell me, in trying to make some connections here, would it be fair that you went into government, made a significant number of contacts there, met people, got to know the system and took that with you to your work with GlaxoSmithKline Inc—one fitted into the other—and now, because Glaxo-SmithKline Inc is obviously interested in the health care field, particularly with a government that's inclined to have an interest in doing business with the private sector, perhaps we might see some kind of self-service here or a conflict of interest or a building of your career out of what you said you actually wanted to get out of, which was working for government and in government.

Mr Clarke: I don't view it as building my career. I really do feel it's an opportunity to serve once again. As I said, I have certainly thought about the conflict, and I don't believe there is a conflict. I don't believe my company is served commercially by my being there. In fact, I know they are not.

Again, I can only emphasize that my chosen profession as well as various job experiences have taught me that conflict of interest is something I take very seriously, and it is not just actual conflicts; it is the perception of conflict. I understand that, and so even a perceived conflict in a given circumstance would cause me to immediately recuse myself from any and all discussions that might take place, not just with respect to Glaxo-SmithKline and its various commercial interests but the entire pharmaceutical industry.

Mr Martin: It seems to me that the nature of your work with GlaxoSmithKline is about having contacts, knowing people and being able to influence people, and the more people you know, the more opportunity you will have to be successful in what you do. As I said, you go from government to government relations with a very big, successful pharmaceutical company, also participating in that industry, and now back into the health care field through another door to perhaps meet some more people. It certainly speaks to me about the potential for some conflict of interest.

Mr Clarke: Again, I don't agree with you necessarily, but having said that, as I said, I would certainly recuse myself in any and all circumstances that I perceived to be of any conflict or even the perception of conflict.

The Chair: That's it? OK. That completes the questioning. You may step down, sir.

SUSAN BRYSON

Review of intended appointment, selected by official opposition party: Susan Bryson, intended appointee as

member, Council of the College of Respiratory Therapists of Ontario.

The Chair: Our next intended appointee is Susan Bryson, intended appointee as member, Council of the College of Respiratory Therapists of Ontario. Welcome to the committee, Ms Bryson. I think you're aware that you have an opportunity to make an initial statement, should you see fit, and subsequent to that, questions from the committee, if they see fit.

Ms Susan Bryson: I would like to take this opportunity to thank the committee and the Chair today for allowing me to appear. I'm currently a resident of Streetsville; we refer to it as the village within the city in Mississauga. I've been there for about five years. I'm a member of the local Rotary Club, which is also located in Streetsville. I've been proud to serve in some capacity as a member of their board of directors for the past five years and was given the honour last year of working as their president. I actually worked through to be their first female member and then, of course, their first female president.

1440

I also serve as a community representative at a public school. It is not one that my son attends or that is in my district; it is just something I do to work toward the better good of our little area in Streetsville. I've always tried to live by the philosophy that if you give a little bit more than you take, we will all live in a better place.

When this opportunity was first presented to me, obviously my first thought was that I had no experience in the medical field. But the future of health care in any capacity in our province and country is obviously very important. We've gone through some changes and some growing pains over the last few years.

Our philosophy in Rotary is that when one pair of hands is joined with many, there are no boundaries to accomplishment; they're endless. So as a private citizen and someone who obviously uses the health care system, I would like to be able to contribute to that.

I've been fortunate to have experienced both the private sector and the public sector in my career—the private sector from the perspective of both a large corporation and a small business with just a sole proprietor. I worked in a riding office with Elections Ontario during the last provincial election. I learned a lot. I am sorry to say I was always just someone who cast their ballot and went home without realizing the work and preparation that was involved. The experience, after the polls had closed, of having the results phoned in is something I'll never forget—the electricity in the air.

Again, I thank you for your time and welcome any questions you might have.

The Chair: Thank you. We begin our questioning in this case with the official opposition.

Mr Gravelle: Good afternoon, Ms Bryson. Can you expand a bit on why you are interested in being appointed to this particular council? You mentioned giving back, and I appreciate that and think that's more than legitimate. Are you interested particularly in this agency

you're up for, or were there others? I may as well ask the other question: how did the appointment come about?

Ms Bryson: How did I get it? I had a business associate who was appointed to the college of dental physicians and surgeons. The appointment itself interested me. I wasn't aware this type of work was available. So I passed my resumé along to my constituency office several months ago and received a telephone call from someone in the Ministry of Health asking me if it was something I was interested in. So, no, I didn't pursue this particular college, but, as I say, I think any facet of health care—as a private citizen who's encountering different situations with what is covered now and what is no longer covered, there could be a point where respiratory therapy may not be covered. Are we heading toward privatization? The entire process is something I would like to be involved in, even if it is as a small cog in a very large wheel.

Mr Gravelle: You made some reference to privatization. Can you tell me more about what you meant by that?

Ms Bryson: From a layman's point of view, are we working toward a system similar to the States or Great Britain, where you pay as you go? Certainly over the last few years there are some services we now pay for that we didn't. I'm not disagreeing or agreeing with that. Sometimes there are necessary evils with everything. But are we going to be in a position 10 or 15 years from now where we need extra insurance just to get a room in a hospital?

Mr Gravelle: It's interesting to pursue this. Do you support the increase in access to private health care—is that really the direction you're going in?—or do you believe strongly in a publicly funded system? I think it's worthwhile pursuing this.

Ms Bryson: I believe in a publicly funded system. My personal belief is that there has to be some responsibility on the part of citizens. I think we probably all, unfortunately, have been in a situation in an emergency room where people are using it as a walk-in clinic. Maybe there's an area to start. Emergencies are there for a particular purpose and not because your doctor can't fit you in. Unfortunately, maybe that's where we've arrived today, and that's part of the problem, because it's such a pull on the system and the funds that are available. There's only so much money available. It doesn't matter how many people are in the province; there's always only so much funding available.

Mr Gravelle: Just going back to the previous point you made in terms of how you made the appointment, I meant to do a follow-up question as well. You went to your constituency office. Whose office was that?

Ms Bryson: Mr John Snobelen's.

Mr Gravelle: Was it Mr Snobelen, then, who put your name forward?

Ms Bryson: It was his assistant, Anne Grice. I went through Ms Grice, not directly through Mr Snobelen.

Mr Gravelle: Were you involved in Mr Snobelen's campaigns?

Ms Bryson: No, I was not. Mr Snobelen is currently what is classified as an honorary member of my Rotary Club. Prior to my joining, when he was in the private sector, he was an active member. Now it's a classification of honorary member, that he can come to a meeting if he's able to, if he has the time in his schedule. He helps out once a year. We have an annual festival where we raise funds for Easter seals, and he usually comes out and flips a few pancakes at our pancake breakfast.

Mr Gravelle: Thank you. Did you have some questions, Leona?

Mrs Dombrowsky: You've indicated you have a connection with your local member. Are you a member of the party?

Ms Bryson: No, I am not.

Mrs Dombrowsky: With regard to the appointment that brings you to this meeting today, you've had the background material that has been sent to the committee members, and they have highlighted for us the dispute with regard to the quality assurance program. Do you have an opinion on that or an observation that you'd like to share with us?

Ms Bryson: Just from the information that I received, what seemed to be an obvious and maybe a partial solution was that instead of doing the exam—their problem seems to be that the exam is almost too close to the entrance exam that they are required for licensing, and possibly too, as a respiratory therapist moves on and specializes—it may be neonatal care or anaesthesia—that they gear the examination or some practical testing a little bit more toward that so that it's a proper assessment of their skills and not just basic knowledge, as they've already taken the test.

Mrs Dombrowsky: Do you have any experience in labour relations?

Ms Bryson: On a very small basis, working within a small business. So not on a large scale, no.

Mrs Dombrowsky: That would conclude my questions.

The Chair: We will move, then, to the third party.

Mr Martin: I find it really interesting, actually quite pleasantly interesting. We're looking for people from the public to serve on these boards so that they bring another perspective than simply the professional perspective that perhaps members of the profession would bring to the board. Certainly you have some varied background coming to this.

You may already have answered it, but I need to hear it again: the contribution that you can make and what you hope to achieve.

Ms Bryson: Obviously, coming from a varied background—as you can see from my resumé, I left the banking industry and moved into the hospitality industry. I had no experience within the hospitality industry. So I like to take on a challenge and, if you'll pardon the cliché, jump in with both feet. It worked out for me very well, as I'm sure this would.

I think with some of the debates going on right now—I'm personally a non-smoker and obviously work in an environment where there is smoke. Respiratory therapy as well in the future will likely be something—I think there's a case right now with that particular waitress who was, again, a non-smoker and has been diagnosed with terminal lung cancer. So from that standpoint, especially in the city of Mississauga, there's a lot of debate going on right now about banning smoking in establishments.

I think personally I've always been able to judge a situation without any preconceived notions. So again, coming into this with no background, I would like to take just the public perspective.

Mr Martin: What's your position on smoking in public places?

Ms Bryson: I'm probably a very tolerant non-smoker. Unfortunately, smokers have rights too. It's just unfortunate that their rights infringe upon the rights of non-smokers. The situation right now in Mississauga is that if someone has a designated smoking room, they are allowed to operate, and personally I think that works. If I choose to work in that environment, that is my choice. There are now a number of non-smoking establishments that I could go work in. It satisfies both smokers and non-smokers if I don't, because they are required to have additional washrooms and an entrance and an exit so that I, as a non-smoker, don't have to go in if I don't want to.

1450

Mr Martin: You've had a short time to think about this. Is there anything that you want to achieve in serving on this particular college?

Ms Bryson: I think initially I'd like to do a little bit more research—obviously I was sent some material—and to work through to see how the core competency evaluations can proceed. It's still going on, so it's—

Mr Martin: Just an aside: I'd love to live in a place called Streetsville.

Ms Bryson: It is a lovely town. We refer to it as "town."

Mr Martin: Thank you. That's all I have.

The Chair: The government.

Mr Wood: We'll waive our time.

The Chair: The government waives its time, so thank you very much for being with us, Ms Bryson. You may step down at this time.

Our next intended appointee is not here yet; Mr Dykstra is not here at this time. Perhaps we could proceed with consideration of the ones we've heard. Does that make sense?

Mr Wood: I would be prepared to move concurrence re Mr Pannu.

The Chair: We have a motion from Mr Wood of concurrence in Mr Pannu's appointment as an intended appointee as a member of the Ontario Film Review Board. Any discussion?

Mrs Dombrowsky: I'm afraid I'm not going to be able to support this appointment. I think it's very important when we consider these appointments that we consider the background that people bring to the role,

particularly as well in light of the fact that some of the issues or matters dealt with by this particular board have a significant impact within our communities.

Just yesterday we had the issue that was published in the Toronto Star about a film of questionable nature, and it is a subject that members of the film review board have to make some very serious consideration about. I think I would like to know that the people there have some background and understanding in the arts. I don't know that I received the sense from Mr Pannu that he was a strong advocate of the arts or that he even regularly participated in artistic activities. I think that particularly with regard to this appointment that's an important qualification to bring to the role. So I'm looking for someone with more experience and a little more depth in the field.

The Chair: Any other comments from members of the committee before I call the vote? No? I'll call the vote, then.

All in favour? Opposed? The motion is carried.

RICK DYKSTRA

Review of intended appointment, selected by official opposition party: Rick Dykstra, intended appointee as member, Niagara Parks Commission.

The Chair: Our next intended appointee has arrived: Mr Rick Dykstra, intended appointee as member, Niagara Parks Commission. Welcome to the committee, Mr Dykstra. You have an opportunity, as you would know, to make an initial statement if you see fit, and subsequent to that, questions will be directed to you from members of the committee if they see fit.

Mr Rick Dykstra: Great. Thank you, Mr Chairman. I would just like to thank the committee for the opportunity to make a few brief remarks, perhaps tell you a little bit about who I am and what I will do as a member of the commission.

Basically, a little bit of history on myself: I spent 12 years as president of Dykstra Landscaping, involved in landscape designing and landscape architecture, and also the actual physical installation. The company is a family business run out of St Catharines and Niagara, doing work certainly in the Niagara region and outside in the Niagara Peninsula.

During that time, I had the opportunity to serve six years as city councillor in the city of St Catharines for St Patrick's ward, which is ward 4, and I enjoyed the opportunity immensely. It gave me a great understanding of both municipal government and, more importantly, the importance of community, the importance of participation in local community activities, and also the opportunity to spend five years on the budget committee. I actually chaired the budget committee twice. I sat on the library board. As often happens in municipal government, as many of you know, subcommittees come up for particular reasons, and I did serve on a subcommittee of the parks and recreation department for the city.

I spent the last five years working at Queen's Park in two ministries and also in the Premier's office. I've spent the last eight or nine months involved in my own firm, with my partner, in a public relations and public affairs management company that works here in Toronto and also in Niagara.

The reasons I'd like to serve on the parks commission are fivefold. The first is that I have a strong sense of community and the importance of participating in the betterment of the Niagara region. The second is that I have a belief in public service and a commitment to serve in that capacity. The third is that I have lived in the Niagara region my entire life and know the communities that make up Niagara very well. The fourth is that I understand the important role the parks commission plays within Niagara, specifically in Niagara Falls, Niagara-on-the-Lake and Fort Erie. And finally, I have a willingness to serve, and hopefully my public service experience will assist me in that regard.

In terms of my commitment to the parks commission, I believe in and agree with the park's mission statement: "The goal of the Niagara Parks Commission is to preserve and enhance the natural beauty of the Falls and the Niagara River corridor for the enjoyment of visitors while maintaining financial independence."

There are two points I would like to make regarding this. The first is that the preservation and enhancement of the natural beauty of Niagara is what I believe in and what my wife and I have chosen in terms of remaining in Niagara as residents to raise our three children. The second point is regarding financial independence. As a city councillor and two-time budget chief, owner of a small business and provincial employee, sound fiscal management is very important. I'm committed to acting in a fair and responsible manner with the Niagara Parks Commission, recognizing the responsibility that goes with that position.

In conclusion, I appreciate the opportunity to serve in a public capacity and I want to let all members of the standing committee know that I will work hard, act responsibly and be a positive and proactive member of the parks commission.

The Chair: Thank you very much. We'll begin our questioning with the third party.

Mr Martin: Good afternoon, Mr Dykstra. Suffice it to say you've had some significant involvement with the government over the last few years.

Mr Dykstra: That would be fair.

Mr Martin: And I would take from that that you're a card-carrying member of the Tory party?

Mr Dykstra: Yes, I am.

Mr Martin: So you're active in campaigns and—

Mr Dykstra: I have been active in campaigns, yes.

Mr Martin: And contributed, as well, to the party?

Mr Dykstra: Financially? Yes.

Mr Martin: When I look at this appointment, recognizing where you have come from and what you do now for a living and the overwhelming involvement of this commission in almost the whole of the Niagara area

economy and your involvement in government relations and public relations, communications and this kind of thing, and living in the Niagara area, don't you think that it obviously speaks to conflict of interest all over the place here, the possibility of conflict of interest? If you're going to do business in the Niagara area and the Niagara commission oversees all of these activities, and you're wanting to be involved in your own personal business, do you not see that there may be the possibility of conflict of interest here?

1500

Mr Dykstra: I think that in all public life and all public service there is certainly the potential for conflict of interest. Having said that, I would submit that my six years on city council, I think, is a clear indication that wherever there was a perceived or an actual conflict of interest, I declared that conflict and certainly left the room for the discussion. I would understand anyone's responsibility on a provincial board or agency to be the same: if one has a conflict of interest, it should be noted, and therefore you should remove yourself from the discussion.

Mr Martin: But in the business that you're in—and I made this comment to a previous intended appointee—it's all about contacts, knowing people, having access, knowing where the opportunities are. In the Niagara area, it seems that almost everything in some way, shape or form comes under the aegis of the Niagara Parks Commission. So I would present that just in your own personal best interests you'd be better off not being on this thing at all. That way you could apply and respond to requests for proposals from these organizations to do public relations, marketing, strategic communications and project management without having to worry about conflict of interest. No?

Mr Dykstra: I come back to the point that if there's a perceived or an actual conflict of interest, one should certainly be declaring that conflict and should not be participating in the discussion and should be removing themselves from the room. Further to that, up to this point in my life this is the first time I've actually sat down and had a discussion about the parks commission. I certainly haven't entertained any opportunities in the past to do work for or through the parks commission.

Mr Martin: You haven't done anything for any of the—let's go through them: the Niagara Spanish Aero Car; the Journey Behind the Falls; the Niagara Parks Botanical Gardens; the Butterfly Conservatory; Queen Victoria Park; the golf courses; Niagara Glen Nature Area; Niagara River Recreational Trail; the historical sites—and there are a bunch of those—and other facilities and services? You've done no work nor do you anticipate doing any work for any of those organizations in the future?

Mr Dykstra: No, sir.

The Chair: That completes your questions. We go to the Conservative Party and Mr Johnson.

Mr Bert Johnson (Perth-Middlesex): Mr Chair, I had a couple of questions for the young man—because

he's not the only one, I understand, sitting around this table who has served on councils in St Catharines.

I'm just a little interested in some of your experiences. My first question is, while on council in St Catharines, were you there under the tenure of Mayor Unwin?

Mr Dykstra: Yes, I was.

Mr Johnson: If you see him, say hello to him. I went to school in Palmerston and his sister was in the same year as I was. I knew Al quite well, way back when his hair had some colour to it and so on.

My biggest interest is in your experiences on council and how you think they will help in not only your own expectations but the expectations others have in your appointment to this. I'd be a little bit interested in hearing that.

Mr Dykstra: I think that one of the number of opportunities serving on city council allows an individual is the opportunity to learn about municipal government structure and the impact you can have from a city council perspective. I think one of the benefits is that you get a much better understanding of what your community and the extended community beyond that is like. I think I've learned a lot from that experience. I think that experience has paid dividends in terms of my personal understanding, and it has renewed my commitment to the community I live in. In fact, I think having that clear understanding and that willingness to serve certainly will have advantages. The ability to learn about the mechanisms of being on a board, of being on a committee, of understanding how that works, of being prepared to make decisions and to put your perspectives forward—all of those opportunities, at least from a city perspective, have certainly helped me and given me the confidence I need to be able to represent the parks commission very well.

Mr Johnson: I also wanted to say that, having known you for a few years, I had no idea of your background interest in the horticultural trades. It's a thing that most of us admire when we see it, but I always think of the person who said that it's not enough to like flowers; you have to hate weeds. So along with some of the very attractive features of the parks you'll be looking after, a lot of it is done by people who are very dedicated to hard work and hating those weeds.

I wanted to tell you that you're the fourth young applicant we've interviewed this afternoon, and I've been impressed with all of them. As we age—some of us started before others, but we all go at the same rate. I wanted to say that I think the future of the Niagara parks would benefit from your experience, and I'm very pleased that you've offered yourself for this position.

Mr Dykstra: Thank you, Mr Johnson.

Mr Mazzilli: I just want to thank you very much for putting your name forward for this position on the Niagara Parks Commission, Mr Dykstra. I'm sure the people of Niagara will be very well served.

I think it's important to tell the public in Ontario that often members who volunteer to serve on these boards certainly are confronted with allegations of a perception

of conflict of interest and so on. But if it were not for members serving on these boards, these boards would certainly be dysfunctional. I just want to thank you for putting your name forward.

Mr Dykstra: Thank you very much.

Mr Wood: We'll waive the balance of our time.

The Chair: Thank you very much, Mr Wood. It is now the official opposition.

Mrs Dombrowsky: Good afternoon, Mr Dykstra. I'd like to clarify a point that was made by Mr Mazzilli, who suggested that this is a volunteer role. Is that your understanding?

Mr Dykstra: In large part it is a volunteer role, but my understanding is that there is—I don't know what the term is—a per diem.

Mrs Dombrowsky: A per diem of—

Mr Dykstra: I believe it's \$135.

Mrs Dombrowsky: For each day that you're involved in—

Mr Dykstra: It's one meeting a month, from what I understand.

Mrs Dombrowsky: I see. Are there any other benefits paid for—mileage or anything?

Mr Dykstra: Not to my knowledge.

Mrs Dombrowsky: Not to your knowledge. So \$135 a day is not exactly volunteering.

Mr Dykstra: It's 12 meetings a year. If what you're asking is whether there's compensation involved with the position, I think the answer to your question is yes.

Mrs Dombrowsky: All right. I think that does need to be clarified for the public record.

Mr Dykstra, can you explain how it is you've come to be here today?

Mr Dykstra: I guess I was invited to be here on the invitation of the standing committee.

Mrs Dombrowsky: No, how is it you've come to be an intended appointee?

Mr Dykstra: The Niagara Parks Commission is considered to be interesting, and it obviously has a lot of input into the community of Niagara, certainly an interest that I have. Through my involvement in the community, I understood that there would potentially be a couple of positions opening up this year, and I put forward my application based on that understanding.

Mrs Dombrowsky: I'm sorry, I wasn't clear. Was it your involvement in the community or your involvement in your local political association?

Mr Dykstra: No, what I had said was my local community.

Mrs Dombrowsky: Are you involved with your local political association?

Mr Dykstra: Yes, I am.

Mrs Dombrowsky: Do you have any particular role in that association?

Mr Dykstra: At the present time, I'm on the board.

Mrs Dombrowsky: The board of—

Mr Dykstra: The local association.

Mrs Dombrowsky: In what role?

Mr Dykstra: Just as a board member on the executive.

Mrs Dombrowsky: You're just a board member of the provincial Progressive Conservative association?

Mr Dykstra: Yes, I am.

1510

Mrs Dombrowsky: I want to perhaps touch on part of the commission consideration, the golf course facility. Is it the Legends of the Niagara that the commission runs?

Mr Dykstra: Yes. Like I say, they run two additional courses as well.

Mrs Dombrowsky: Is there any debate or discussion within the Niagara community about unfair competition with the private sector or private golf courses?

Mr Dykstra: I haven't been involved in any of those discussions. Certainly part of the understanding that Niagara has as a whole, in particular Niagara-on-the-Lake, Niagara Falls and Fort Erie, is the opportunity to market Niagara and Niagara Falls throughout the whole year as a tourist destination. One of the opportunities certainly that avails the Niagara community is the tremendous and beautiful golf courses, whether they be with the parks commission or throughout the community. The opportunity to market those on a national and certainly international scale has certainly paid dividends to the Niagara region in terms of tourism.

Mrs Dombrowsky: Are there private courses in the Niagara region, though, that would see the course operated by the commission as a rival or as unfair competition?

Mr Dykstra: I haven't spoken to any private owners to get their perspective on that, so in terms of answering directly to that, I would say that I don't know.

Mrs Dombrowsky: OK. Can you perhaps clarify for me your understanding. The activities of the commission, do they fall under the Environmental Assessment Act?

Mr Dykstra: Sorry, I'm not aware whether they are or whether they are not.

Mrs Dombrowsky: You don't know?

Mr Dykstra: No. The parks commission obviously pays a whole lot of attention to the parks and responsibilities they have, but I don't know where they fall under the purview of the environmental assessment board.

Mrs Dombrowsky: I would suggest that if they are advocating or promoting the establishment of golf courses and so on, those promotions do have an impact on the local environment.

Mr Dykstra: Right. So I would assume that in the work the parks commission does as an official board and as an official entity of the province, they would certainly pay heed and pay attention to those things.

Mrs Dombrowsky: Do you think that the parks should fall under the—

Mr Dykstra: I think they—

Mrs Dombrowsky: If they don't, do you think they should?

Mr Dykstra: They certainly should pay attention to—whatever environmental legislation, regulation and poli-

cies are in place, I'm certain the parks commission would follow the purview of that.

Mrs Dombrowsky: If they're not already, should they?

Mr Dykstra: Sure, yes.

Mrs Dombrowsky: OK. I have a few questions here. I think that would conclude my questions, then, Mr Chair.

The Chair: OK. I think that concludes all the questions today. Thank you very much for being with us, Mr Dykstra. You may step down.

The committee will do its business now, as they say.

Mr Wood: I move concurrence re Mr Clarke.

The Chair: We are into concurrences and Mr Ryan Clarke, intended appointee as member, Council of the Royal College of Dental Surgeons of Ontario, has been moved by Mr Wood. Any comment?

Mr Martin: Yes. I'm just detecting a bit of a pattern here this afternoon where you have some folks who worked for government, who leave government and go into consulting for themselves in the private sector and then get appointed to boards of government, make more contacts and then the connections begin. The circle is made and you have somebody who then benefits fully from the system. I would suggest that presents all kinds of opportunity for interesting conflicts of interest.

In my understanding of how agencies of government work, it's supposed to be people who have nothing other than the public interest at heart when they're appointed and that they would operate and act always in that capacity and that, as much as we can, we stay away from even putting people into positions where they may have to step away because there could be a conflict of interest or a perceived conflict of interest. Because of that, in this instance, I will not be supporting this appointment.

The Chair: Any further comment? If not, I'll call the vote. All in favour? Opposed? The motion is carried.

Mr Wood: I move concurrence re Ms Bryson.

The Chair: Concurrence has been moved by Mr Wood in the appointment of Susan Bryson, intended appointee as member, Council of the College of Respiratory Therapists of Ontario. Any comments?

Mr Mazzilli: I just want to note that Ms Bryson had no party affiliation. She came here and was appointed by the government to be on this board. I just want that on the record for the people of Ontario.

The Chair: I thank you very much, Mr Mazzilli, for putting that on the record. Any other comments from members of the committee?

Mr Martin: I wasn't going to comment, and I'm going to vote in favour of this appointment. But I think it's only fair to note, though, that Ms Bryson did work on John Snobelen's campaign and was quite excited on election night, as the numbers came in, to see that he had won. I believe that's what she said when she was before us. So to indicate for a second that there is no political affiliation when in fact there is, I think, is to mislead the public.

Mr Mazzilli: That's what you do for a hard-working MPP.

Mr Martin: That's fine. Just let's be fair.

Interjection.

The Chair: One at a time. Any other comments? If not, we will have the vote. All in favour? Opposed? The motion is carried.

Mr Wood: I move concurrence re Mr Dykstra.

The Chair: Mr Wood has moved concurrence in the intended appointment of Rick Dykstra, intended appointee as member, Niagara Parks Commission. Any comment?

Mr Martin: Yes. This is another case for me of a person who, yes, probably worked very hard to achieve some success at the municipal government level and in work at the provincial government level, and now has gone on to work in the private sector. He is a partner in a consulting firm and is looking to be appointed to the Niagara Parks Commission. He lives in the Niagara area. When you consider the number of very large and public organizations and operations that this commission oversees, you can't help but think there are connections here that need to be made, and probably in the end will be made. With that in mind, I don't think this is a good appointment and I'll be voting against it.

The Chair: Any further comment from members of the committee? If not, I'll call the vote. All in favour? Opposed? The motion is carried.

Any other business for the committee? Any questions, comments or business?

Mr Wood: Hearing none, I move adjournment.

The Chair: Mr Wood has moved adjournment. I don't think there is any discussion of that, is there?

All in favour? Opposed? Carried unanimously. That one is always carried unanimously.

We will set a meeting for next time, whenever it happens to be.

Mr Wood: We would presumably go into the new sitting—

The Chair: That's what I assume.

Mr Wood: What I'm saying is that we'll get into the new sitting without having a backlog.

Clerk of the Committee (Ms Anne Stokes): We have three outstanding. Then tomorrow is the deadline for selections, so I don't know how many more we'll have.

Mr Wood: My point is that I think we should have no backlog when we get into the sitting.

The Chair: Yes. I think that's a good suggestion, so when the House reconvenes we are clear.

Mr Wood: That may require only one more meeting. I think it's more desirable to do that than be trying to clear a backlog when we get back to full-time business.

The Chair: That makes sense.

Thank you much, members of the committee.

The committee adjourned at 1519.

CONTENTS

Wednesday 26 February 2003

Committee business	A-223
Subcommittee reports	A-224
Intended appointments	A-224
Mr Alfred Liu	A-224
Mrs Dorothy Cauthers	A-226
Mr Joel Peters	A-229
Mr Harry McCosh	A-233
Mr Rupinder Pannu	A-237
Mr Ryan Clarke	A-239
Ms Susan Bryson	A-242
Mr Rick Dykstra	A-244

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Wayne Wettlaufer (Kitchener Centre / -Centre PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Steve Gilchrist (Scarborough East / -Est PC)

Ms Marilyn Mushinski (Scarborough Centre / -Centre PC)

Clerk / Greffière

Ms Anne Stokes

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services



A-16

A-16

ISSN 1180-4335

Legislative Assembly of Ontario

Third Session, 37th Parliament

Assemblée législative de l'Ontario

Troisième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 12 March 2003

Journal des débats (Hansard)

Mercredi 12 mars 2003

Standing committee on
government agencies

Intended appointments

Comité permanent des
organismes gouvernementaux

Nominations prévues



Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 12 March 2003

Mercredi 12 mars 2003

The committee met at 1006 in room 151.

SUBCOMMITTEE REPORT

The Chair (Mr James J. Bradley): The meeting is called to order. The first item of business is the report of the subcommittee on committee business dated Thursday, February 27, 2003.

Mr Bob Wood (London West): I move its adoption.

The Chair: Mr Wood has moved its adoption. Any discussion? If not, all in favour? Opposed? The motion is carried.

INTENDED APPOINTMENTS

GARY HARRON

Review of intended appointment, selected by official opposition party: Gary Harron, intended appointee as member, Environmental Review Tribunal.

The Chair: We now move to the appointments review. The first individual to come before the committee will be Mr Gary Arthur Harron, intended appointee as member, Environmental Review Tribunal.

Welcome to the committee, Mr Harron. You may come forward. As you are aware, you have an opportunity to make an initial statement if you see fit, and then you will be questioned by any members of the committee who choose to question.

Mr Gary Harron: I will take the opportunity of making an opening statement.

Thank you, Mr Chairman and members of the committee, for inviting me here today. I welcome the opportunity to tell you why I believe I can make a contribution as a member of the Environmental Review Tribunal.

At the outset, I would like to elaborate on my background and experience as set out in my curriculum vitae, which I understand committee members have a copy of.

I was raised and educated in rural Bruce county. I graduated from the Ontario Agricultural College, now the University of Guelph. Following graduation, I returned home to work in my family's general store and farming business.

In 1969, I entered municipal politics as a councillor in Amabel township, a rural municipality that was home to

Sauble Beach. I served for 14 years—12 as reeve—culminating as the 1978 warden of Bruce county.

At the outset of the formation of the Niagara Escarpment Commission I was appointed a member, and served in this capacity for 10 years. There I participated in the formation of the Niagara Escarpment plan, whose objective is to preserve and protect this unique land form in its natural state while only permitting development that will not detract from the plan's objectives.

In 1982, I was honoured to be appointed a member of the Ontario Municipal Board, a quasi-judicial body whose jurisdiction is well known, I'm sure, to all members of this committee. This experience as an adjudicator has taught me how to fairly and impartially arrive at a decision after carefully considering and weighing all of the evidence presented.

During the past 20 years, I have sat on several panels formed under the Consolidated Hearings Act, along with members of the then Environmental Appeal Board, where we made decisions on applications for approval of both new and expanding landfill sites. There was considerable evidence presented at those hearings relating to leachate collection and disposal, the effect of the undertaking on the water aquifer, the proper covering of the waste etc.

I have also conducted several hearings as a result of referrals by the Minister of Natural Resources relating to applications for the removal of aggregate. The evidence presented here related to the protection of the water aquifer, the control of dust and noise emissions, regulation of blasting, and considering conditions relating to mitigation measures and rehabilitation.

There is always considerable evidence presented relating to environmental matters when considering landfill and extraction applications. Section 2 of the Planning Act directs the Ontario Municipal Board to have regard to matters of provincial interest during its deliberations. Some of those matters are the protection of ecological systems, including natural areas, features and functions, the orderly development of safe and healthy communities, and the protection of public health and safety. I have always considered the foregoing section 2 as a direction that we as a board must consider environmental concerns during our deliberations.

I believe the foregoing experience I have touched on will be of great benefit as a member of the Environmental Review Tribunal if my application is successful.

As set out in my curriculum vitae, it is evident I have a strong interest in rural Ontario, particularly the agricultural industry. Agriculture is a very important component of Ontario's economy. However, as a result of Justice O'Connor's report, it is evident that many farm practices from an environmental perspective will now have to change. I am keenly interested in hearing appeals in relation to the Nutrient Management Act when it is fully implemented. I believe my experience as an adjudicator, along with my practical experience in agriculture, will assist me in understanding and analyzing the evidence in arriving at impartial decisions while protecting and safeguarding the environment for present and future generations.

Adjudicating applications under the various acts considered by the Environmental Review Tribunal, such as the Environmental Assessment Act, the Environmental Protection Act and the Ontario Water Resources Act, among others, has to be taken very seriously, as the resulting decisions can have a tremendous impact on present and future generations. I can assure you I will do my part in arriving at fair and impartial decisions while considering the intent of the various acts.

The Vice-Chair (Mr Michael Gravelle): Thank you, Mr Harron. We should be starting the questioning with the third party, but there is not a representative here, so we'll move to the government members. Mr Johnson, you have a question?

Mr Bert Johnson (Perth-Middlesex): Yes. Mr Harron, I just wanted to welcome you to Toronto this morning. Thanks very much for being here.

You mentioned that you had conducted one of the hearings on aggregate removal. I wondered, was that contested because of the rules of the Niagara Escarpment or was that a—

Mr Harron: No, it was not on the escarpment. It was appealed by neighbouring property owners as a concern for their water supply, as the intent was to go below the water table.

Mr Johnson: They were going to extract below the water table?

Mr Harron: Yes.

Mr Johnson: What concerns did that raise?

Mr Harron: It was a rural farm group. They had had experience with another quarry in the community that blasted below a certain level of quarry stone and some of their wells went dry. In this particular case, the evidence of the applicant was not that he needed to go below the water table. I approved the application, but on condition that he stay three feet above the water table.

Mr Johnson: In that area of the province, is the water table close to the surface?

Mr Harron: No. That gave him probably 25 years of extraction before he would need to go near the water table.

Mr Johnson: Those are my questions.

Mr Wood: We'll waive the balance of our time.

The Vice-Chair: We then move to the official opposition.

Mr James J. Bradley (St Catharines): Did Mr Wood say he would yield the balance of his time to the official opposition?

Mr Wood: Waive. Sorry, I should have spoken more clearly.

The Vice-Chair: He did say "waive," Mr Bradley. I know you'd like lots of time, and certainly you can proceed.

Mr Bradley: Well, it was a good try, anyway. The first question the opposition always asks is, are you now or have you ever been a member of the Progressive Conservative Party?

Mr Harron: I have not been involved in any type of politics, municipally or provincially, since my appointment to the Ontario Municipal Board 20 years ago. I feel that if you sit on an independent tribunal, you have to set politics aside. Prior to my appointment, I was a member of the Ontario Progressive Conservative Party.

Mr Bradley: It sets my heart in a state of relief to know that, because the opposition will say you never know, when you ask that question, what answer you're going to get. So you were appointed by a Conservative government in that particular situation?

Mr Harron: Yes, the government of Premier Bill Davis at the time.

Mr Bradley: Of course, being a member of the OMB, you would not want to continue in an active role, and that makes sense.

One of the fears that some people have, and I heard you mention the Nutrient Management Act, is that there are some out there who have been advocating that some farmers be exempted from the provisions of the Nutrient Management Act. That has been advocated, I think, by someone on the government side. Correct me if I am wrong. The parliamentary assistant to the Minister of the Environment has been advocating that certain farm operations be exempted from the Nutrient Management Act. Do you think that all farms should be subject to that, or do you believe there should be exemptions to it?

Mr Harron: As I understand the proposed legislation, it is to be staged. I understand that the more intense agricultural operations, such as what they refer to now as large intensive operations, where they operate with a liquid manure system, are going to be brought into regulation or control in the first stage, and over a period of years the smaller farms that have fewer animal units and use what we refer to as dry manure, where straw, shavings etc are used, are to come in at a later date.

I conducted a very interesting hearing about three years ago in West Perth county that was related to a bylaw of a municipality that wanted to put a cap on the number of livestock so they could regulate—this was before the Nutrient Management Act came in. I heard a lot of very interesting evidence there. Some of the evidence I heard from the experts was a concern that even smaller farm operations, if the animal waste is located and handled incorrectly, can cause pollution. So I guess the bottom line is that the regulations or the new act will have to be left in the hands of the legislators to

bring in what they see fit after the consultation process. However, I do believe that small farms, as well as large farms, can cause pollution.

Mr Bradley: I won't say that is a view you disagree with, because it would be unfair of me to say that, but that would be a view that seems to be contrary to the parliamentary assistant to the Minister of the Environment, and I accept that that is the case.

This may be a little bit outside your purview, but with your background and experience, you may be able to help us out a little bit here. Many of us believe, and I think probably a pretty good consensus of this committee believes, that the smaller farmers in particular should receive assistance from perhaps the Ministry of Agriculture and Food in meeting the obligations of the Nutrient Management Act. Do you think it would be helpful to have some financial assistance and advice from the Ministry of Agriculture and Food to allow them to comply with the provisions of the act?

Mr Harron: I don't think I should make a statement on whether or not the government should give financial assistance. Again, that is up to the government of the day. There is no doubt that any business person can use help financially if they have a large expenditure. As far as advice from the Ministry of Agriculture and Food, yes, I think that would be very helpful to the farmers, particularly if they have to bring in nutrient management plans, and I believe the legislation is going to require this. Some farmers may find that difficult, and I think advice from OMAFRA would be very helpful.

Mr Bradley: There is the issue of the permits to take water. In fact, the Minister of the Environment overruled a ruling of the Environmental Review Tribunal. I think Pauline Browes was the officer who was sitting at that time; she's a former Conservative cabinet minister in the government of Brian Mulroney. I have known Ms Browes for a number of years. I was quite concerned to see the minister overrule the adjudicator in this particular case and give—I'll sound inflammatory to say it—the multinational company the right to take far more water from the ground for industrial purposes and taking it away, as a matter of fact, than Ms Browes thought ought to be the case.

1020

How would you view the government if you were sitting on an Environmental Review Tribunal listening to all of the evidence, adjudicating only after a very deliberate looking at it, deliberations which were very careful, to have a minister overrule it? How would you feel about that, having a minister overrule you as a person on the Environmental Review Tribunal?

Mr Harron: As a member of administrative tribunals—I have been for the past 19 or 20 years—we never really like to be overruled and be overturned because we do make our decisions based on the evidence that comes before us. However, the legislation is set up that in certain cases the minister has the right to overturn a decision of the tribunal, and that's the way the legislation is drawn up and we have to accept that. As I

say, we probably would just as soon not have our decisions overturned, but the legislation enables that to be done and we have to accept that.

Mr Bradley: There is another issue. The province's Environmental Assessment Act applies, as you know, only to the public sector and any public sector undertakings. However, the minister retains the statutory discretion to exempt any public sector project from the requirement of undergoing an environmental assessment. In addition, environmental assessments are required of private sector projects at the government's discretion. For example, many private sector landfill sites are covered under the regulations.

Environmental groups and lawyers have argued for years that the act should be amended to make environmental assessments mandatory for all environmentally significant projects, regardless of whether they are proposed by a public sector agency or a private sector firm.

Would you be able to comment on that, whether if there are large, significant projects in the private sector they should automatically come under the purview of the Environmental Assessment Act?

Mr Harron: Once again, that is the state of the legislation at this time and we have to accept that. I've always considered the environment and the protection of the environment in my deliberations even with the OMB, as I set out in my opening statement. If there are environmental concerns, such as when they're constructing new highways etc and the public are concerned, I would hope they have a chance to voice those concerns. But once again, that's a decision in the hands of the minister and I'm not sure it would be right for a member of our tribunal to be telling the minister whether he can or cannot overrule when he's given that power under the legislation.

Mr Bradley: In January 2001 there was a submission to the Walkerton inquiry. Environmental Commissioner Gord Miller criticized the Ministry of the Environment for failing to compile the comprehensive information needed to make accurate assessments about the potential impact of what we call permits to take water and its effect on the ecosystem. In his testimony before the Environmental Review Tribunal in the OMYA permit case, he noted that the ministry does not have a mechanism in place to summarize and tabulate the total number of water takings for a watershed. In his January 2001 report, he suggested that the problems he had uncovered in the administration of the permits to take water were "contributing to the growing number of leave to appeal applications to the tribunal related to permits to take water under the Environmental Bill of Rights."

Do you have any comments on that, that we don't have this total amount, and that your ability as a tribunal member to rule is in fact impacted adversely by the lack of this knowledge of all the water that's out there and how much water is being taken out?

Mr Harron: I have not had the opportunity to sit on an appeal relating to water-taking at the OMB. However,

a couple of my colleagues have, and I read their decisions. There's no doubt that, sitting as an administrative tribunal, if you have to make a decision on the impact that water-taking to a certain volume may have on the aquifer—I believe in the one case referred to, it was a river—it certainly would be helpful to know the volume or capacity of that water, what's available in the aquifer or the river, to assess the impact that the removal of certain portions would have. There's no doubt that would be very helpful to a tribunal.

Mr Bradley: In your experience on the Ontario Municipal Board—this may be a difficult question, but I'm curious about your point of view because you have a lot of experience in that regard—what would you consider to have been the most momentous hearing, or the one which gathered the most public attention?

Mr Harron: That I was involved in?

Mr Bradley: Yes.

Mr Harron: I was involved in a major what we used to term “store war” hearing in the town of Collingwood. I can speak to this because the decision has been out for some time; if it was still pending, I couldn't. The official plan in that case protected the downtown core and read that only large commercial development could locate on the periphery if they could show there were enough dollars in the marketplace to support their business without detrimentally affecting the downtown. That hearing went on for in excess of four months. What we did in that case was put conditions on the decisions. Facilities such as major banks, the liquor store, the beer store, offices etc could only locate in the downtown. The zoning that we put out on the periphery would allow the development that was proposed, but we reduced it to about two thirds of the proposed size and did not allow it to build for three years until business picked up. That seems to have worked. I've driven through Collingwood a number of times and their downtown seems to be thriving well. That was one that sticks in my mind.

The one landfill site that I was involved in, I was there sitting with two members of what I believe was the Environmental Appeal Board at that time. We sat there for a considerable time and heard a lot of evidence. We eventually had to refuse that application because it could not be proven to us that the water aquifer under the landfill site was anything but on the same level, maybe even the same aquifer, that served several residential houses about a half a mile away. It just could not be proven safe. That was a long, drawn-out hearing and very difficult—and not an easy decision to make, because the municipality had spent considerable revenue trying to establish a landfill site. So those are the two that come to mind.

The Vice-Chair: Thank you very much, Mr Harron. Mr Bradley, I apologize. Time has expired.

Mr Bradley: I'm usually the Chair and I have to cut him off, you see.

Mr Harron: I understand.

The Vice-Chair: I didn't enjoy doing that. I don't want you to think I enjoyed it.

Mr Bradley: This is called revenge. Now, he says he doesn't enjoy it; I'm sure he does enjoy being able to cut me off.

The Vice-Chair: I do not.

Mr Harron: Thank you very much.

The Vice-Chair: Thank you very much, Mr Harron. Before we call the next appointee, Mr Bradley will resume the chairmanship.

Interjections.

The Chair: I'm still reeling from the fact that the Conservative members wouldn't allow us to have the additional time from the third party.

Mr Wood: We're getting into practise for the election.

Mr Wayne Wettlaufer (Kitchener Centre): Jim, we just knew that you don't need that much time. You're so bright that you can just get to the heart of the matter right quickly.

Mr Wood: We're surprised you needed 12 minutes.

STANLEY SPENCER

Review of intended appointment, selected by official opposition party: Stanley Spencer, intended appointee as member, council of the Royal College of Dental Surgeons of Ontario.

The Chair: Here we go. Our second intended appointee is Stanley C. Spencer, intended appointee as member, council of the Royal College of Dental Surgeons of Ontario. Welcome to the committee, sir.

Mr Stanley Spencer: Thank you very much.

The Chair: I know you're aware that you have an opportunity to make an initial statement if you see fit. Subsequent to that, there will be questions from members of the committee who deem it appropriate to ask you questions. Welcome again, sir.

Mr Spencer: Thank you, Mr Chairman and to committee members, for affording me the opportunity to speak to you today. I'm honoured to be nominated for a position on the council as well as the opportunity to serve the province. I understand that you all have a copy of my CV, but I'd like to expand on that for a moment, if you please.

1030

I'm a chartered accountant by profession and I'm a senior partner in the firm of Mintz and Partners LLP. I've been with this firm for approximately 25 years and I've been a partner for over 21 years. Before I obtained my CA, I had my honours BA at York University and I received my bachelor of commerce at the University of Windsor. I worked three and a half years at Coopers and Lybrand, where I got my articles for my CA. After leaving Coopers and Lybrand, I worked for a medium-sized accounting firm and then moved on to Mintz and Partners in 1979.

During my time at Mintz and Partners, I handled a number of internal matters that helped the firm grow. I initiated and built our human resource area. Once accomplishing that, I moved on to set up a formalized payroll

and accounts payable system and oversaw that for a short period of time. After that, I ran the accounting division for our firm for seven years and helped monitor all the partners and people under me. From there, as the firm grew, I set up my own division of small business. I've been running that ever since. I have nine people who report to me on a daily basis. I specialize in consulting operations, professional start-up, and business and estate planning.

My outside activities: I'm a member of the Canadian Institute of Chartered Accountants and the Institute of Chartered Accountants of Ontario. I've been a member of these in good standing since 1976. I was also a member on the endowment foundation of the Baycrest Centre from 1987 to 1997. I was on the finance committee of the Baycrest Centre in 1992. I was also on the Big Brothers program from 1982 to 1984. I've been on the board of directors, from 1997 to the present, of the Rae Bobbe Charitable Foundation and the Adolph and Klara Brettler Charitable Foundation. These are two private charities. We monitor their investments and give out funds to other charities in the GTA. I'm also on the board of directors, on the finance committee, and I am treasurer of another charity called Leave Out Violence, which helps children in schools curb their violence. We try to turn them to expressing themselves through writing, photography and publishing things, as well as train them to train other people to move from a violent nature to a more productive nature. Finally, I also sat on the endowment committee advisory board of Crescent School from 2000 to 2001.

Having sat on a number of boards and dealt with professionals in my professional career, these are strong assets in helping me to work on the committee that I hope I will be appointed to. Thank you very much.

The Chair: I will now begin with the government caucus.

Mr Wood: We will waive our time.

The Chair: You started last time, actually, so I should have gone to—you waived your time; OK. I'll go to the official opposition.

Mr Michael Gravelle (Thunder Bay-Superior North): It's good to know you're going to waive your time.

Good morning, Mr Spencer. I am curious as to how this appointment came about. Can you tell us the process? Were you in touch with a member of the Parliament; or can you give us a sense of how this appointment came about? It would be a good way to start, I think.

Mr Spencer: I am a member of the Conservative Party, but—

Mr Gravelle: That's very forthcoming of you. I didn't even ask that.

Mr Spencer: I have been a supporter of the Conservatives since I was 18 years old. I recently have been asking to do some work for the province in any capacity. As you can tell, I like to work in the community and give back because it's been very good to me. I was at some meetings etc, and they heard that I wanted to do

something for the province. When the minister's office, from the health department, phoned me and asked me if I would like to sit on one of these committees, I stated yes, they gave me a choice, and this is the one I chose.

Mr Gravelle: So do you view this as being a bit of a reward for being a member of the party?

Mr Spencer: Well, not so much a reward, so to speak. I want to help; I want to do things. As you can tell from my CV, I want to do stuff within the community and be active there and give back. This isn't the first time I've asked. I've asked a number of times, and finally it came through.

Mr Gravelle: So who is the member where you reside, your provincial member?

Mr Spencer: Mr Turnbull is my member.

Mr Gravelle: I do actually want to talk more at a later point about your Leave Out Violence initiative. It does sound really interesting. Obviously, we have some anti-violence measures as well in northern Ontario, but I do want to pursue this particular appointment a little further, Mr Spencer. Is it one that you have some familiarity with? I realize you're going to be a public member of the board, but I presume you've done some research to see whether or not this is an appropriate board for you to be sitting on. When you were offered this position, did it strike you as being one to which you would be able to contribute in a meaningful way or was there something else you were more interested in?

Mr Spencer: I was given a number of boards that I could sit on. I picked two. One of them did not have an opening; this one did. I was very glad to step forward on it. With my practice, I deal with a number of professionals across the board. I deal with lawyers, doctors, dentists, architects etc. Although they deal with different fields, they all have the same problems, and they all report to some form of board. I hear not only the complaints or the concerns of the dentists, doctors and other people; I also hear the other side of the coin, the patients and clients. So I get a good cross-mix of hearing these. Not that I am a big drinker, but I'm like a bartender: I tend to listen to people and help them with their problems. I enjoy doing that. That's part of my job.

Mr Gravelle: I take it, then, that you are familiar with one of the major issues that obviously is facing the Royal College of Dental Surgeons of Ontario; it relates to the issue between the dentists and the dental hygienists. I'd be curious to know your thoughts on that. Certainly it has been going on for some time, going back even to the NDP government when the issue first began, in terms of the ability of the hygienists to do work without the direct supervision of dentists. What are your thoughts on that and, indeed, in terms of how long it has taken to come to some resolution?

Mr Spencer: Well, my thoughts on that are basically that every profession right now is breaking off into their specialty areas. I know when I first started with my dentist, there was no such thing as a dental hygienist, and then things branched out to where there are dentists, orthodontists, periodontists, hygienists, even technicians

who do certain work to assist the dentists. The main concern that dentists have in this area is if a problem arises from a hygienist's dealing with things. I'm not sure of the length and breadth of what hygienists' teachings are, but if an emergency happens, what would they do in a certain situation such as persistent bleeding or something worse? To have their own office is probably not a bad idea and probably could cut down on some of the costs of dentistry. However, they should be affiliated somehow or be near some type of professional help where, in the case of an emergency, they could call upon it at any time.

Mr Gravelle: I don't think they would disagree with you on that. I don't think the dental hygienists are asking for total freedom; it has to do with specific work that they can do. It is a difficult issue, and any decision has been delayed. I know there are some regulatory changes that may be put in place. But the impression I get is that you're more prone to saying that, in the name of protecting the patients, you're more likely to side with the position of the dentists right now. Is that a fair thing for me to say? I don't want to put words in your mouth at all.

1040

Mr Spencer: No, it's more that as long as the public is protected on all fronts, this is what I'm looking for. As you well know, very recently the chartered accountants and the CGAs had a very similar situation about signing financial statements out there, and there was a very protracted discussion with Parliament and a lot of discussion on that. So I'm very aware of what is happening in that area and of the decisions that have to be made. Coming out of that foray, I understand the positions on both sides, and we just want to make sure that everything is done properly before we give an OK to go forward, because in the end it's the public that will suffer.

Mr Gravelle: Do you view it as being your responsibility, presuming this appointment goes through, that you would take a position on this once you're actually sitting? Do you think it's your responsibility to get involved in this process in a direct way?

Mr Spencer: Definitely. If I'm given the authority and sufficient knowledge on that, I can take an objective view of this, and from my experience dealing with the public and dealing with this on a business and practical level, I think I can make an informed decision, once I learn more about it.

Mr Gravelle: You did bring up, actually, an area voluntarily, in terms of the CAs, the CGAs and the CMAs. I am curious as to what you thought, as a CA, about the legislation that was brought forward and passed unanimously in the House.

Mr Spencer: I can tell you that as a CA, I should have taken great umbrage to it, but I did not.

Mr Gravelle: That's interesting.

Mr Spencer: I have a nephew who graduated as a CGA and he knew he would not make it through the CA program. I told him to take the CGA program because, I

said, eventually they will be one and the same and that was a way to get to his end goal.

I have no problem with competition or anything like that, because good competition makes me stronger. If I have weak competition, that means I am less and the public gets less. The fact that the CGAs want more and want to be able to do this, as long as they pass the proper exams and they keep the high level of standards—again, I go back to Arthur Andersen and Enron; I've been getting slammed a fair amount on that from outside the CA world, but as long as we can keep our fairly high standards and keep things on a level playing field where they come up to that level and we don't come down to theirs, I think it's a very good idea and it's something that should happen and probably will happen over the next while.

Mr Gravelle: Do I have a little more time?

The Chair: No, your time's up.

Mr Gravelle: Time's up? Really?

The Chair: Yes.

Mr Gravelle: I wanted to talk about the Leave Out Violence—

The Chair: I'd like to be able to do that, but your time is up.

Mr Gravelle: That was an immediate return. Thank you, Mr Spencer.

Mr Spencer: I'll be happy to talk to you at a later date, if you want to phone me.

Mr Gravelle: I'm very interested in it.

The Chair: Thank you very much, sir. You may step down.

Mr Johnson: Retribution is swift.

The Chair: That will teach the member for Thunder Bay to be more tolerant of others.

Mr Gravelle: Would it help, Mr Chair, if I told you that I gave you 12 minutes, not 10? Mr Wood noticed.

Mr Wood: I even put it on the record.

The Chair: We have some flexibility on this committee from time to time, particularly when there's some specific interest.

MARGARET BARR

Review of intended appointment, selected by official opposition party: Margaret Barr, intended appointee as member, Ontario Parole and Earned Release Board.

The Chair: We now have Margaret Barr, intended appointee as member, Ontario Parole and Earned Release Board. You may come forward. Welcome to the committee. I know you're aware that you have an opportunity to make an initial statement, and subsequent to that there will be questions which will commence, in this case, with the official opposition.

Ms Margaret Barr: Thank you, Mr Chair. I never pass up an opportunity to make my own statement.

First of all, good morning to all of you. Thank you for the opportunity to address this committee today and for your interest in my intended appointment as a full-time member of the Ontario Parole and Earned Release Board.

It's my understanding that you have in front of you a copy of my most recent and current résumé. It outlines a good deal of my professional background and my proud community service. Therefore, I will attempt to be specific in my opening statements only as they pertain to myself and my qualifications for this intended appointment.

I will begin by stating my complete belief in and commitment to Ontario's parole and temporary absence programs. They are vital to a safe Ontario. It is far safer for Ontario communities when inmates reintegrate under the standard and special conditions of an early release plan than when inmates are reintegrated back into society at the end of their sentence with no supervision. When the parole and temporary absence programs are appropriately and, I must stress, wisely administered, they provide a widely cast safety net for our government's province.

As noted in my résumé, this is not my first appointment to the Ontario Parole and Earned Release Board. I was appointed a part-time member in July 2001. In January 2002, at the request of OPERB's chair, Mr Louis Théorêt, I became an acting full-time member at Central North Correctional Centre in Penetanguishene. CNCC had just commenced operations at that time, and OPERB's chair recognized a need for a board member to go to Central North and establish a presence for the board within that new privatized facility. He also recognized a need for the facilitation of an efficient and safe environment for the parole hearing process and for assistance in the direction and implementation of the board's new mandate, which was to undertake the decisions for inmates requesting temporary absences of over 72 hours.

Although my tenure with OPERB was, relatively speaking, short at that time, I had already gained the necessary course training and knowledge required to allow me to chair the hearing process. I was fortunate to achieve a reputation with the chair and other board members as an effective, straightforward and committed member, dedicated to safe Ontario communities. I spent over eight months at CNCC as acting full-time member and was, from all accounts by those who made such reports, highly successful in that role.

Since that time, I have continued my duties as a hearing chair, at CNCC and in the eastern and western regions' correctional facilities, and I have awaited the opportunity to assume the formal role of a full-time member. With the restructuring of OPERB now fully underway and with your much-hoped-for confirmation of my intended appointment today, I finally have that opportunity.

I thank you for allowing me to make these introductory remarks. I now give the floor back to you and the rest of this esteemed committee, Mr Chair, for any inquiries you may have of me.

The Chair: Thank you very much. We will commence our questioning with the official opposition.

Mr Gravelle: Good morning, Ms Barr. How are you?

Ms Barr: Good morning. How are you, sir?

Mr Gravelle: I'm afraid I'll be in your weekly column now. "Straight Talk," is it?

Ms Barr: Yes.

Mr Gravelle: I'll try to be very nice to you.

Obviously with your experience and your keenness to have this full-time appointment confirmed, I want to ask you a few questions just about your thoughts on the way the system is working, because I think one of the points that was raised in the auditor's 2002 report was in terms of the fact that actually in one of the four regions, which I can't identify but I'm sure you can, the actual goal and mandate of the parole board was not being met. There was a denial of even looking at people, making them serve 122 days, which is basically going, it seems to me, somewhat against the mandate—at least, that was the way the auditor phrased it. I take it you're familiar with that.

1050

Ms Barr: I'm quite familiar with the situation.

Mr Gravelle: Yes. Can you tell me about it?

Ms Barr: I must say that no one has informed me which region was undertaking to do this—

Mr Gravelle: We're saying we don't know which one it is, yes.

Ms Barr: —so I do not know which one it is. I can certainly assure you that when I was acting full-time member at Central North, I never had such a policy, and neither does the board. I cannot speak to that except to say that I believe—and I stress the word "believe," because I don't know this for certain—that must have been an individual. It certainly is not the board policy. I certainly know it's not only not the policy of the board; it's not the chair's policy and never has been, nor will it be my policy.

Mr Gravelle: I guess the concern that would be out there—and the members of the government ought to appreciate this—is that there may have been some influence in terms of the government saying, "We want to be tougher on people who are in this position." One wonders whether that message got across, although it seems odd that that would be a message that would go to one of the four areas, or one of the four regions. That would be a strange approach. But it is odd.

Ms Barr: It's very odd, and was quite shocking to me when I first learned of it. As I say, I don't feel that I'm in a position really to comment on that, except to say that I can certainly tell you that is not a policy of this board and certainly not a view that's shared by our chair or the government, as far as I know.

Mr Gravelle: Tell me why you do believe that the system as it is set up is the way the system should work in terms of people who are convicted of crimes, who are serving in a provincial facility, two years less a day—a variety of crimes, obviously. You made it clear in your opening statement that you feel very strongly about the system. Tell me in just a little bit more detailed way, if you can, why you feel so strongly that it works, that it's the right way to go in terms of getting people back into the community.

Ms Barr: You'll forgive me if I don't have my statistics in front of me—and I'm not a statistician by memory, that's for sure—but I think you will see, and you may have this in your package, that statistics prove that an inmate who is simply released out on to the street at the end of their sentence—sometimes they may not even have anyplace to live. Certainly it would be rare, I would think, that they would have employment lined up. They've simply done their sentence and the doors are open and they are released.

Under the guidelines of the Ontario parole and earned release system, first and foremost they must have a confirmed residence with a viable sponsor. If they do not have a confirmed residence in which they can go and live, they simply would automatically, almost—maybe “automatically” is the wrong word; we would give them a hearing, but we'd let them know right up front they're denied. If they wish to have their say in front of us, they may, but they must have a confirmed residence.

They must have treatment if their offences are in any way related to substance abuse. So if the government of the day will forgive me for using one of their slogans—which I used long before you did—without statistics, it's only common sense that someone released into society with no guidelines, no conditions, no mandate for treatment of substance abuse—and believe me, substance abuse is far and away the largest contributor to crime, certainly, that I see in Ontario. I can't speak for the rest of the world. They have to report to the police; they have to report to their parole and probation officer; they must absolutely prove, when they're on parole, that they are abiding by the conditions, which, as I say, in instances to which they pertain, include treatment, employment and proper reporting.

This issue of being tough on crime—I don't think anyone believes any more than I do in being tough on crime. But one of the ways to get tough on crime is to successfully reintegrate reoffenders into society, and the parole board does that, I believe.

Mr Gravelle: I appreciate what you're saying. Certainly one of the great concerns that the official opposition has, and Mr McGuinty and others have expressed it, has been the decision by the government to build these superjails and to have privately run facilities. I do think a very strong case can be and should continue to be made for publicly run correctional facilities. I'd be curious as to your feelings on that. The evidence that's out there in terms of the institutions in the United States—and I think this impacts on your particular responsibilities, because of whether or not we have people who are serving in those facilities who are coming out in a better place.

So I'm curious about your thoughts on the restructuring, in terms of superjails, and the fact that this particular government of the day is determined that they become totally privately run facilities, which is having an impact all across the province, actually, in terms of other facilities not being able to expand because municipalities

aren't comfortable with going privately run. So your thoughts would be much appreciated right now.

Ms Barr: I must say you're speaking to a very biased person about privatized institutions, because I of course from the beginning have been placed in the only one that Ontario has at this time, which is Central North. I can't speak from a fiscal perspective; I certainly don't know what the figures are as to publicly and privately owned. But I can tell you, from being in Central North on almost a daily and certainly a weekly basis for over a year, that the programs provided to the inmates are more than adequate. I don't see any more problems than you would see in any other institution with security. In fact, in my resumé that you have in front of you I noted that, because security remained in place even during last spring's OPSEU strike, and because the temporary absence coordinator at that time was privately employed by Central North, it was the only institution in Ontario that did not have to cease the temporary absence program during the strike.

So I'm afraid I'm for it from those regards: from the parole and temporary absence prospect, and from seeing the programs that are within the institution and how it's run. But I certainly couldn't speak from a fiscal perspective. I know, from the parole board perspective, that the inmates come before us with the adequate programming and treatment that they need. I don't know how else I can speak to that.

Mr Gravelle: Do you speak to the staff? Have you got any insight into how the correctional staff themselves feel about the system? Certainly one of the real pieces of evidence that we found compelling was that the staff themselves feel very strongly in terms of wanting to be part of a publicly run system. Are you in a position to be able to report on what the correctional staff themselves feel about it?

Ms Barr: I'm in a position to, but I don't think it has anything at all to do with my intended appointment today. Probably what they told me, they told me in confidence; some of it positive and, as in any workplace, some negative. But if you're asking me, do I hear more negative than positive—no, sir, I don't.

Mr Gravelle: May I ask you if you are a member of a political party?

Ms Barr: I am not. I am not now, nor have I ever been, a member of the Progressive Conservative Party.

Mr Gravelle: Seems like a good place to end.

The Chair: I thought you only ask that question if you know the answer.

Mr Gravelle: I thought I asked that, of any political party.

The Chair: That's the end of your questioning? OK, we'll now go to the government caucus.

Mr Wettlaufer: Good morning, Margaret.

Ms Barr: Good morning, Mr Wettlaufer. I'm sorry I made that comment. I see the house is weighted on that side.

Mr Wettlaufer: You don't have to be sorry. I'm glad you've got this appointment before us this morning. I

think with the parole board you definitely need a good sense of humour, and I know of your sense of humour.

Ms Barr: Yes, you do.

Mr Wettlaufer: I make no apologies for my attitude toward parole and early release. I have a very strong belief that if you commit the crime, you do the time. I personally would probably keep everybody in jail forever and a day.

1100

Ms Barr: That's why we don't have you on the board, Mr Wettlaufer.

Mr Wettlaufer: I know, and that's probably why I'll never be on the board.

I'm a little bit alarmed at the reoffending rate that is committed by parolees. While I see the number of paroles has decreased over the last 10 years, from 52% to 29%, which I still think, obviously, is way too high, I notice that the re-offending rate has gone from 1.8% to 3.7%, and this is where I really get upset. I say, if the parole board is doing its job, we shouldn't have a reoffending rate. What would you comment on that?

Ms Barr: There again, I apologize for not having a head for remembering numbers, but I can assure you—

Mr Wettlaufer: That's why I gave them to you.

Ms Barr: I know. You're trying to trip me up, Mr Wettlaufer.

Mr Wettlaufer: No.

Ms Barr: I'm not sure of the numbers, but I do know that if you look at the number of inmates who are released with absolutely no supervision, you will find their re-offending rate is much higher.

Having said that, I will also say that I would like to be able to sit here before you today and tell you that I have not, nor has this board, ever released an inmate who went out and reoffended. However, there is absolutely no one who can tell you that. I cannot tell you, Mr Wettlaufer, that you may not leave here today and do something I wouldn't expect you to do, which might be something I expect you to do. But I believe that when the process is wisely administered—and I stressed this in my opening comments—it is up to the government of the day and this committee to do all it can and all they can to be sure that the people placed on that board are there because they can wisely administer the process. No matter how wisely administered it is, none of us has a crystal ball, but if the process, as it now sits, is followed, believe me, letting an inmate return to society under strict rules and conditions of parole, even though a little earlier than that inmate may have gotten out if you just turned him loose on the street, is going to help make Ontario safer.

Mr Wettlaufer: OK. Thank you very much, Margaret.

The Chair: Any further questions?

Mr Frank Mazzilli (London-Fanshawe): Good morning. Something I was paying attention to was the substance abuse. How many people before the board do you figure are drug abusers?

Ms Barr: Oh, my goodness. There again, I'm sure the board has the accurate and precise statistics on that. If I

were just taking a guess off the top of my head, before me personally—and I have chaired hundreds of hearings—I would say, conservatively speaking, at least 70% to 75% have some sort of substance abuse problem.

Mr Mazzilli: And that's where I'm happy to hear that the criterion for release with substance abuse is to get treatment.

Ms Barr: Absolutely.

Mr Mazzilli: I'll put in a plug for Mr Wood and myself, working on the Ontario Crime Control Commission with Mr George Chuvalo, as you may have heard.

Ms Barr: Yes.

Mr Mazzilli: One of the interesting things is that in 1997, 427 people died of drug overdoses. These are drug abusers, if you will, using heavy drugs. In 2001, the numbers come down to 307. Although that's slow, the interesting part is that there's been a 60% increase in people seeking treatment—approximately 75,000 a year. That could be attributed to the parole board having such a criterion. I don't know why, but whatever it is, it is working.

But in the province we have 330,000 drug abusers—these are Ministry of Health numbers. That's 3% of the population. In your humble opinion, if you were the government or in government, would you have any ideas on how to bring those types of numbers down?

Ms Barr: Wow.

Mr Mazzilli: You are an opinion person.

Ms Barr: Now, Mr Mazzilli, where did you hear that?

Mr Mazzilli: You do write opinion columns.

Ms Barr: That's an answer I wish I had. I have a 16-year-old son—by the way, are we televised today?

Mr Mazzilli: We are.

Ms Barr: Well, I have a 16-year-old son; he's celebrating his 16th birthday today. Happy birthday, Jason.

I worry about the question you just asked me all the time. I would give anything if I could answer how to bring them down. I do truly believe that the parole process is one way to do that, but unfortunately you have to go to jail first, and that would not be an option I would want for my 16-year-old son, if he's watching.

Treatment does no good if people don't really, sincerely believe they want it and need it. I have had inmates before me who have partaken of every substance abuse treatment program within the facility and have plans to do so when they leave, and one of the first questions I ask them is, "Do you have a substance abuse problem?" If they say to me, "Well, I don't really think I do. I have five impaired driving charges, but, you know, I just got unlucky," then that's not good enough.

First, you have to somehow make people understand that it's an issue and that driving impaired or taking drugs is a problem. Maybe that's just a question of communication and getting the message out there, and frankly, Mr Mazzilli, I see the messages all the time. I don't know how to deal with it. If I had the answer to that, I would be one happy mother and one happy Ontarian and Canadian.

Mr Mazzilli: I think we have to look at that seriously—

Ms Barr: Yes, we do.

Mr Mazzilli: —because when you look at alcohol, it has some great consequences, but if you look at 10% of the population as being alcohol abusers, the number of deaths when it comes to overdoses of alcohol is pretty small compared to hard drugs.

Ms Barr: Yes.

Mr Mazzilli: We talk about programs, but with some drugs it's arguable that there are no programs that will help you. They will help you to a certain point. I think medical science has a lot to do with it at that stage.

But before that, do you think there have been enough programs as far as prevention at a young age is concerned? I know we hear a lot about impaired driving and alcohol; do we hear a lot of education on drugs?

Ms Barr: May I speak as a mother now and not as a parole board member?

Mr Mazzilli: Absolutely.

Ms Barr: I absolutely do not believe we have enough programs for young people. I know that in school, and hopefully at home, it's drummed into them constantly, but I believe we cannot get the message across enough. Whether it's programs that may have to do with licensing that they have to pass, even a test—and this is off the top of my head; I'm thinking about this because today is my son's 16th birthday and he wants a driver's licence. Even if part of the driving test is a test of drug awareness and alcohol awareness—anything.

I'm certainly not a substance abuse counsellor, but I can tell you it is so much the primary reason for all the crime we have that I see among the inmates who come before us, and it is an absolute concern. I would love to see this government—any government—put more programs, no matter what they are, before the young people of our province and of our country, and certainly I would love that this government consult better minds than mine that would know the proper way to go about it and try to put something on board for that.

The Chair: I hate to tell Mr Mazzilli this, but I was very, very flexible. If Mr Gravelle hears that I allowed the Conservative Party to go five minutes over, he will be very annoyed.

Mr Gravelle: It's very interesting stuff.

The Chair: We get absorbed in this, and I think it's very good to have this. I like to see this kind of questioning. It wasn't hostile or anything. Interestingly enough in this committee, one of the things members of the committee like about it is that we learn a lot about the agencies and the problems confronting agencies, as well as about the people coming before the committee.

Thank you very much for being with us. We appreciate it very much, Ms Barr. You may step down.

Ms Barr: Thank you. It was a privilege.

1110

FATIMA KAPASI

Review of intended appointment, selected by official opposition party: Fatima Kapasi, intended appointee as member, council of the College of Midwives of Ontario.

The Chair: Our next intended appointee is Fatima Kapasi, who is intended appointee as member, council of the College of Midwives of Ontario. You may come forward. I know you are aware that you have an opportunity to make an initial statement. We want you to feel very welcome and at ease before the committee. Members of the committee will direct questions to you subsequent to your initial statement. Welcome.

Ms Fatima Kapasi: Thank you, Mr Chair and members of the standing committee. It is indeed a pleasure and an honour to appear before you in regard to this appointment to the College of Midwives. As an ordinary citizen, I believe it is the experience of a lifetime to face members of the standing committee. In all the work I have done in the past, I have been in the position where I have been asking questions. Today I have the opportunity to face some questions, and that is something I really look forward to. I thank you sincerely for your time and consideration today.

My name is Fatima Kapasi. I came to Canada in 1972 as a Ugandan refugee with my husband and my two sons, who were babies. We settled in Kitchener-Waterloo, after living for a year in Scarborough, Toronto. I was born in Tanzania, East Africa. I have four other siblings spread all over the world. I completed my O level—grade 12—in Dar es Salaam, the capital city of Tanzania. For further education, I went to England, where I obtained a degree in science. In East Africa, I was a teacher by profession, and taught biology, chemistry and physics.

After being uprooted, my husband and I, with our children, came to Canada, virtually penniless. Canada became our new home, and today I am proud to be a Canadian citizen. I re-educated myself and became a social worker. My resumé speaks to this. As a social worker, the focus of my work was to help immigrants and refugees to Canada resettle and become contributing citizens. In this capacity, I ended up working with multi-cultural centres, the United and Mennonite churches, the Mennonite Central Committee, the YWCA, the YMCA, the Waterloo County Board of Education and very many health-related agencies; to mention a few: local regional health centres, local hospitals, St Monica House for unwed pregnant women, Anselma House for battered women, and the K-W habilitation centre for the mentally impaired.

I wrote on many health-related and women's issues in the local paper. I continue to contribute to the K-W region by working today also as a fundraiser for the Heart and Stroke Foundation, the Juvenile Diabetes Foundation, the regional cancer centre and Partnership Walk, which raises funds for Third World countries. I

also sit on various South Asian committees dealing with a wide range of issues.

When the Immigration and Refugee Board was created in 1988, out of four citizens in the K-W area, I was selected and appointed by the federal government at the time in recognition of my community contributions. I served on this board for approximately nine years.

Prior to this appointment, I had worked for the Toronto Board of Education as a school community adviser. In this capacity, I worked closely with the parent community and the students, addressing many social, educational and health-related issues. Since the appointment to the Immigration and Refugee Board, I have also served as a public appointee on the Consent and Capacity Board, which deals with involuntarily committed psychiatric patients, and on the council of the College of Dental Technologists.

Having served as a public member on different boards and colleges, I come equipped with the knowledge and understanding of how they function within the scope of their respective legislations, procedural codes and regulations, policies and guidelines. Being involved in the community with the various health-related agencies, I bring the public perspective to ensure that health professionals like midwives have the required qualifications to guarantee public safety within the scope of their practice.

I believe that having gone through motherhood myself and being a proud young grandmother of two adorable grandchildren, I bring sensitivity and understanding, as well as an appreciation of the concerns, fears, aspirations and hopes of the expecting mother. In addition, I also bring cultural sensitivity by virtue of being of another culture. This is an added asset, as Canada is a multi-cultural mosaic. Midwifery is common in many Third World countries. Members of the committee, I myself was delivered by a midwife and, as you can see, I turned out to be OK.

In closing, I want to add that I come from a family of health-related professionals who are my continuous source of inspiration and support with issues related to health matters. Without meaning to brag, let me tell you that my beloved father, who is deceased, was a family physician; my older brother is a renowned radiologist involved in radio X-ray research in Australia; my older son is a dentist who is practising in the Kitchener-Waterloo area; my younger son and his wife are rural family physicians; my daughter-in-law is a clinical social worker; my niece is a nurse; my nephew, the son of my brother who is the radiologist, is a Rhodes scholar and is conducting research in nuclear cardiology at Oxford in England.

For all these reasons, members of the committee, I assure you I will make an excellent candidate for appointment to the College of Midwives. Again, I thank you for your consideration, and I am eager to answer all your questions.

The Chair: Thank you very much. We commence the questioning with the government.

Mr Mazzilli: Thank you very much for appearing. I certainly don't have any questions. I will be very much supporting your appointment. I was happy to hear about your appointment in 1988 from the government of the day. What we would do to go back to that government of the day at the federal level. But that's another story. With that, I just wish you luck on this board.

Mr Wood: We'll waive the balance of our time.

The Chair: The balance of time is waived. We'll have Mr Gravelle now.

Mr Gravelle: Welcome, Ms Kapasi. It's great to see you here. It's a very, very impressive resumé and a very impressive life story. I appreciate your being willing to come down because, as the Chairman made reference to with our earlier appointee, sometimes it gives us a wonderful opportunity to talk about the board or agency you'll be sitting on, and certainly midwifery is a very important one in this province. I must admit, I'm also going to make a pitch to you at some point before I wrap things up, because I've got a particular concern related to midwifery that I'm not sure all the members who were appointed would be familiar with, so I'm going to try that.

But tell me, if I may—and certainly you will have my support on behalf of our party as well for this position—were you drawn specifically to this particular position, Ms Kapasi? Did you ask to go in terms of this appointment or did it come about by a different process?

1120

Ms Kapasi: I was actually interested in public service, so what I did was handed in my resumé to the member of provincial Parliament in my constituency. As well, I forwarded my resumé to the Ministry of Health and, actually, to all the boards, commissions and colleges across the province, including the Attorney General's office, indicating that I have extensive experience, particularly having sat on the Immigration and Refugee Board, the Consent and Capacity Board, adjudicative experiences, as well as dealing with so many different legislations. So I would be interested in an appointment. I was waiting, and ultimately I got a call from the Honourable Mr Clement's office, and would I consider this position? I said I would very much consider any appointment, and I am before you today.

Mr Gravelle: I presume you've done some research in terms of the council of the College of Midwives. Are there any issues that you're going to bring to the table where you want to change things? Certainly, one of the issues that continues to come forward—and I feel we need to continue to encourage the government to fund midwifery all across the province. We need to encourage that, and certainly all three parties have done that in the past. Do you have any issues that you will be bringing to the table related to how you want to improve the system?

Ms Kapasi: Definitely. I think the College of Midwives provides an important health service. I think what needs to be done is that the public needs to be really, really informed about this important service. Why would an expectant mother choose the services of an

obstetrician versus the services of the midwife? I think that needs to be communicated to the public. I know that most colleges have a publication committee and the function of this committee is to ensure that the public really understands the function of the colleges and who these people are, the registered members. Who are midwives, what is it that they can provide, and why should somebody choose the services of a midwife versus an obstetrician? For me, that is very important. As a public appointee, I can be a tool to do that, to make sure that the college works toward producing brochures or pamphlets or publishes articles in local papers so the public really understands the function of the college and the function of the registered professionals.

Mr Gravelle: One of the reasons why midwives are being used more often—I've got some very close friends who have had all four of their children delivered by midwives. That's going back some 23 years, and they think it was a wonderful way to actually give birth. It was a fabulous process in every way, and of course they had access to a doctor in case there was an emergency.

But one of the problems out there, I guess, is that there are fewer and fewer doctors delivering babies. In many parts of the province—and I guess I'm getting close to the point I'm going to be making to you—it's difficult if not impossible to get a family doctor, and midwives are going to be the place where a woman who is pregnant is going to go. Are you aware that that is obviously a huge problem?

Ms Kapasi: Yes, I am aware that's a problem.

Mr Gravelle: I don't know what it's like in Kitchener-Waterloo, but—

Ms Kapasi: No, I'm aware that's a problem and, particularly, it's not only a problem within the urban cities in Ontario but it's a problem also in rural areas where there is a lack of resources—obstetricians, gynaecologists and a shortage of family physicians. So when that is what's happening within our province, then I think the midwives can be an important health practitioner who can help out and help to somehow alleviate this problem of shortage of resources when it comes to safe deliveries. Definitely, if there are complications, I'm sure that within the scope of their practice the midwives are aware that they have to then get the assistance of a professional who is going to be there to assist with difficult deliveries. But if it's a normal birth, then they are there.

Mr Gravelle: There are, I think, some artificial barriers. It was pointed out by Dr Peter George when he did his report a couple of years ago in terms of some of the artificial barriers, including some hospitals restricting privileges for midwives. Are you aware of that? Do you feel that would be something we should be addressing more aggressively?

Ms Kapasi: Yes, definitely. I am aware of that and I think that could be addressed very clearly and it can be addressed by opening up lines of communication between various health professionals who are involved in this: number one, the hospital administrative staff, the nurses, the physicians and obstetricians and the College

of Midwives. I think there should be more dialogue, more consultation, more workshops. That makes everybody aware of what the function of each one is and how they can work as a team and how they can support each other. The problem of the shortage of resources could be alleviated. The funding can be helped in that regard. It's expensive to have an obstetrician versus having a midwife.

Also, the midwife provides very personal care. She is present before the pregnancy, throughout the pregnancy and after the pregnancy, looking after the mother and baby, and that's an asset. An expecting mother could have a gynecologist but there is no guarantee that the same obstetrician would be present at the time of the delivery, so it becomes a little impersonal. But the midwife is there throughout.

Mr Gravelle: You're showing a remarkable sensitivity toward the reality, which is not surprising, again, based on your history. But still, it's great to hear that because I think those are the things that need to be done in terms of fostering some of these positive communication tools which I'm glad you will be focusing on.

You made reference earlier to the availability of family doctors and obstetricians in rural areas. I come from northwestern Ontario. What is happening is that we have fewer and fewer family doctors available to deliver babies.

Are you familiar with the northern health travel grant? This is my pitch, Mr Chair. Do I have time?

The Chair: Yes.

Mr Gravelle: Good. Are you familiar with the northern health travel grant?

Ms Kapasi: Yes, I am. I think that—

Mr Gravelle: Midwives are not—sorry, you go ahead.

Ms Kapasi: Sorry. Go ahead.

Mr Gravelle: In many parts of my riding, let alone northern Ontario in general, women who are pregnant are referred to midwives because they have no access to anybody else and they have to travel great distances to access that care. Under the northern health travel grant, if you are accessing medical services outside your own community, the government provides a subsidy to help defray the costs. But the Ministry of Health—I've been making a bit of a plea for this for some time—will not allow the northern health travel grant to be qualified if you go to a midwife, which seems wrong to me. Here is the government very much supporting the funding of midwifery and these are people who are—I shouldn't say "left with no choice" because many want to choose them, but for some, this is literally the care they're going to be receiving, yet they are not able to access that northern health travel grant.

I guess my pitch is to try to have you, as a future board member—I'm not sure whether you want to lobby the college to lobby the government. But I recently received a letter from the minister saying they are still not prepared to deem the profession of midwifery or midwives in general as specialists, and I think they are.

Could I have your thoughts on it or whether or not you feel this is something you would—

Ms Kapasi: I know this was debated on December 12, 2002, I believe. I don't know the reasons and the circumstances as to why the travel plan has become an issue. I don't know the details of it, but as a citizen and as somebody from the public, I would support it. I think it should be supported.

Mr Gravelle: I'm glad to hear that. Maybe I'll get some more material to you. It just seems unfair to me. As I say, the government supports it. Obviously this is an extraordinarily important role, and people in certain parts of the province—not just the north perhaps but certainly in the north—are not able to access a family doctor or an obstetrician. So I would like to think that, if they do support the travel grant for all the reasons that we do, they should be able to refer people to a midwife. I hope we can win that battle yet and I just wanted to talk to you a bit about that. I appreciate having the opportunity and I wish you all the best. I'm sure you're going to be a fabulous appointee.

Ms Kapasi: Thank you very much.

The Chair: Thank you very much for being with us. You may step down at this time.

Ms Kapasi: That's it?

The Chair: That's it.

Ms Kapasi: I thought I would be grilled.

The Chair: We will now deal with the intended appointments, and I'll entertain motions.

The first one we deal with is Gary Arthur Harron, intended appointee as member, Environmental Review Tribunal.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence in the appointment. Is there any discussion? If not, I will call the vote. All in favour? Opposed? The motion is carried.

The second intended appointee is Stanley C. Spencer, intended appointee as member, council of the Royal College of Dental Surgeons of Ontario.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Any discussion? If not, I'll call the vote. All in favour? Opposed? The motion is carried.

The third intended appointee is Margaret Barr, intended appointee as member, Ontario Parole and Earned Release Board.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Any discussion? All in favour? Opposed? The motion is carried.

The fourth intended appointee we dealt with was Fatima Kapasi, intended appointee as member, council of the College of Midwives of Ontario.

Mr Wood: I move concurrence.

The Chair: Concurrence has been moved by Mr Wood. Any discussion? If not, I'll call the vote. All in favour? Opposed, if any? The motion is carried.

We have completed the appointments review.

I should mention that we do have a communication from Gina Thorn, general manager, Public Appointments Secretariat, in the following wording:

"This is to inform you that one item included in the February 7, 2003 memorandum has been withdrawn, and, therefore, should not be considered.

"The item is as follows:

"Cabinet: February 3, 2003

"Ministry of Health and Long-Term Care

"Board of Health for the Renfrew County and District Health Unit

"Glenda O'Brien."

That has been withdrawn. That memorandum was sent to Claude DesRosiers, Clerk of the Legislative Assembly.

Is there any other business that anyone wishes to discuss?

Mr Wood: I move adjournment.

The Chair: If not, adjournment has been moved by Mr Wood. All in favour? Opposed? The motion is carried.

Thank you, to members of the committee, for being with us today. I look forward to future meetings with you, however many there might be left between now and that famous day. Thank you very much, members of the committee. The meeting is adjourned.

The committee adjourned at 1134.

CONTENTS

Wednesday 12 March 2003

Subcommittee report	A-249
Intended appointments	A-249
Mr Gary Harron.....	A-249
Mr Stanley Spencer	A-252
Ms Margaret Barr	A-254
Ms Fatima Kapasi.....	A-258

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Wayne Wettlaufer (Kitchener Centre / -Centre PC)

Mr Bob Wood (London West / -Ouest PC)

Clerk / Greffière

Ms Ann`e Stokes

Staff / Personnel

Mr Andrew McNaught, research officer,
Research and Information Services

200N
19
G52



A-17

A-17

ISSN 1180-4335

Legislative Assembly of Ontario

Third Intersession, 37th Parliament

Assemblée législative de l'Ontario

Troisième intersession, 37^e législature

Official Report of Debates (Hansard)

Tuesday 8 April 2003

Journal des débats (Hansard)

Mardi 8 avril 2003

Standing committee on government agencies

Intended appointments

Comité permanent des organismes gouvernementaux

Nominations prévues



Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIES

Tuesday 8 April 2003

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Mardi 8 avril 2003

The committee met at 1302 in room 151.

SUBCOMMITTEE REPORTS

The Chair (Mr James J. Bradley): I will call the meeting to order, since we have representation from the three political parties represented on the committee.

To begin, we have some subcommittee reports to deal with. The first is the report of the subcommittee on committee business dated Thursday, March 13, 2003.

Mr Bob Wood (London West): I move its adoption.

The Chair: Mr Wood has moved its adoption. Any discussion? If not, all in favour? Opposed? The motion is carried.

The second is the report of the subcommittee on committee business dated Thursday, March 27, 2003.

Mr Wood: I move its adoption.

The Chair: Mr Wood has moved its adoption. Any discussion? If not, we will vote. All in favour? Opposed? The motion is carried.

The third is the report of the subcommittee on committee business dated Thursday, April 3, 2003.

Mr Wood: I move its adoption.

The Chair: Mr Wood has moved its adoption. Any discussion? If not, all in favour? Opposed? The motion is carried.

I should announce to the committee that there has been a withdrawal—this is a memorandum that ultimately comes to the committee:

“This is to inform you that one item included in the memorandum of February 7, 2003, has been withdrawn, and, therefore should not be considered.” This was the “Ministry of Health and Long-Term Care, Council of the College of Respiratory Therapists of Ontario, John Adams.” That has been withdrawn, according to Gina Thorn, general manager, Public Appointments Secretariat.

A little later on when all committee members are here, at the conclusion of our appointment process, I'll talk about what we have to do on any extensions or anything of that nature. I'll leave that till the end, if that's OK.

INTENDED APPOINTMENTS

RHEA SUTHERLAND

Review of intended appointment, selected by official opposition party: Rhea Sutherland, intended appointee as member, Social Benefits Tribunal.

The Chair: The first intended appointee is Rhea Sutherland, intended appointee as member, Social Benefits Tribunal. You may come forward.

Welcome to the committee. You have an opportunity to make an initial statement if you see fit. Subsequent to that, each of the political parties represented on the committee will have a chance to ask you questions for up to 10 minutes. Again, welcome.

Ms Rhea Sutherland: Thank you, Mr Chairman and members of the committee, for inviting me here today. My name is Rhea Sutherland, and I'd like to take this opportunity to tell you a bit about myself.

I was born in Windsor, Ontario, and I grew up in a small farming community outside of London known as Iona Station, with a population of less than 100. In my high school years we moved to what was considered the big city of St Thomas. I first came to Toronto in 1976. I have an 11-year-old daughter, Melanie, and I've been married for almost 20 years. My husband, Paul, is a Toronto city councillor and, as you may have heard, was just last night nominated as the Conservative candidate in Don Valley East.

I am a member of the Conservative Party but have not been that active in a political sense. This may seem odd to you, considering that my husband is a politician, but my interests have been elsewhere. I am an individual with my own ideas and thoughts, and he respects that, just as I respect and support his position and ideas.

I believe you would have seen from my resumé that I have experience in the financial area as a financial controller and as a stockbroker. As a registered representative or stockbroker, my responsibilities included advising my clients on investments based on their investment strategies. The analysis of investment in most cases would come from the debt-asset ratio, the strength of management of a firm and the diversity of a company, to name a few. These investment decisions were based on facts, not emotion.

However, my work with London Life is probably more relevant to the Social Benefits Tribunal. My responsibilities included educating small to middle-sized companies on the importance of providing a comprehensive benefits package for their employees which included extended medical, dental and long-term-disability coverage. The primary goal was to enhance the quality of life for the company's employees. In some cases the cost would be shouldered entirely by the employer, but in most cases it was shared between the employer and the

employee. I am very aware of the cost to a company, or to the government for that matter, of maintaining a good benefits program. It was also very important that the plan was not abused, particularly in the disability area. When abused, of course the premiums go up or benefits go down and everyone ends up paying for that abuse.

Having said all that, I also need to share another part of my background and experience with you, because I've seen both sides of the coin. When I was 10, about my daughter's age now, a policeman came to our home in Iona Station and informed us that my father had been in a serious car accident. This was 1962. He survived but was seriously injured and unable to work for six months. Back then there was no work-based disability, and if there was government disability, my mother didn't know about it. I had three younger brothers, the youngest being 18 months old, and my mother was a homemaker. Our only source of income was welfare. This was devastating to my parents. It carried a stigma of shame in the community, and my mother found it very hard to bear.

I remember her refusing help from the Women's Institute and the community to maintain a semblance of dignity, but the community didn't give up. That Christmas was the best we had ever had. On the doorstep Christmas morning were three boxes full of toys, food and two turkeys. When she saw the joy on our faces, she knew she couldn't refuse the charity—that's what she called it. At a very young age, I learned two lessons: to seek and accept financial help when you really need it but to work when you can to earn it.

At the age of 19 I became a registered nurse's aide, caring for the severely mentally and physically handicapped at the St Thomas Psychiatric Hospital. I nursed people who had been taken from society and put in a mental institution for various psychological handicaps. Not only that, but others were there because family and doctors didn't understand their illnesses—people with Down's syndrome and cerebral palsy. I knew even at my young age that those people didn't belong there, just as they knew.

I've been sharing these experiences with you, honourable members, to assure you that I do understand the plight of the disabled, and I have one final piece of my experience to share. For the past 25 years, a member of my immediate family has tried to maintain in the workforce but has been plagued with illnesses that have disabled her time and time again. She has been to countless doctors and been diagnosed with numerous ailments, been given hundreds of different drugs and been called a hypochondriac even by her doctors. She has been criticized and ostracized by much of society, a devastatingly painful experience.

It was only in the past six months that she was correctly diagnosed. She has lupus. Some or all of you may know that lupus is a disorder of the immune system. Antibodies cannot tell the difference between a person's own tissues and foreign tissues. This conflict leads to inflammation in various organs and, if left untreated, this inflammation can cause organ damage and loss of

function and premature death. So I do know what it's like to experience not only the physical and mental challenges of a disability but the social ramifications as well. That person is my mother.

In summary, I feel I am an excellent candidate for this position as I bring to the tribunal a financial understanding with the strength to make tough decisions as well as an empathetic understanding of a bona fide disability.

1310

The Chair: Thank you very much. We begin with the government.

Mr Wood: We'll waive our time.

The Chair: The government waives its time, so we'll move to the official opposition.

Mr George Smitherman (Toronto Centre-Rosedale): Ms Sutherland, you mentioned that your husband was planning to run in the next provincial election. In fact, I understand that he was nominated to be the candidate in Don Valley East last night.

Ms Sutherland: That's correct.

Mr Smitherman: Were you at the meeting?

Ms Sutherland: Yes, I was.

Mr Smitherman: In 1995, when your husband ran for the Progressive Conservative Party in the riding of Oriole, did you take an active role in campaigning for him at that time?

Ms Sutherland: Yes, I door-knocked.

Mr Smitherman: Have you always taken an active role in your husband's campaigns?

Ms Sutherland: I would say not in the last couple of campaigns. He's had a tremendous amount of support and I had a young daughter at the time, so my emphasis was clearly at home.

Mr Smitherman: The position you are being recommended for by the government pays between \$62,138 and \$78,021 a year. Are you aware of that?

Ms Sutherland: No, I wasn't.

Mr Smitherman: So your husband is running for the Conservatives.

Ms Sutherland: Yes, he is.

Mr Smitherman: You're getting a lucrative appointment. Do you think that looks bad?

Ms Sutherland: I would hope not. I would hope that my husband's aspirations and interests don't negate my experience and my interest and history, and I would certainly hope that it doesn't work against me here today.

Mr Smitherman: So you can say unequivocally that at no point in your husband's negotiations to be a candidate was the issue of your appointment to a lucrative Ontario government position a factor?

Ms Sutherland: Actually I was approached, I guess it would have been about a year ago now—it was in the summer, I should say. I was speaking with Minister Klees at a social function, and I indicated at that time that I was looking to get back into the workforce. My daughter was getting older—she's going to be 11 in a couple of weeks—and I had just turned 50, and I think I felt my career biological clock ticking and thought it was

time to get back on the career path. So he asked me to fax—this would have been August or September. I faxed him my resumé, and I received a call from the Ministry of Health about an appointment in the area of nutrition. It's not really my area of expertise or great interest. It was a short time later that I received a phone call from someone at the Social Benefits Tribunal, and the vice-chair, Mr Morrison, called me and interviewed me before that. This was prior to my husband making any kind of decision.

Mr Smitherman: So you don't see any connection at all to the fact that your husband has been a very active Conservative supporter and your ability, as you said, to re-enter the workforce by getting a lucrative government appointment? You see no connection between those two things?

Ms Sutherland: As I said, I would hope not. I would hope that my experience and my interest in the Social Benefits Tribunal outweigh that.

Mr Smitherman: So in your long history of political engagement and acting in campaigns, it doesn't strike you as odd—and a path that most people wouldn't have the opportunity of—that you as the spouse of a prominent Conservative Party activist would have access to a government appointment that pays up to almost \$80,000 a year, that that's a route or an avenue that most of my constituents, as an example, would have access to? That doesn't strike you as a bit depending upon coincidence?

Ms Sutherland: As I said, I would hope that my experience and interest and my past experience in the disability area and with London Life are not negated by the fact of what my husband does and his interests and his affiliations.

Mr Smitherman: I find it a bit hard to swallow, because I did find that in the first three or four minutes of your remarks you were working awfully hard to try to make a resumé that had awfully little to do with this kind of activity seem awfully relevant.

I couldn't help but notice that in your comments you used the word "abuse" at least two, and perhaps three, times. Is it your opinion that there is a high level of abuse among people attempting to access benefits of this nature?

Ms Sutherland: I really don't know. I haven't studied the legislation. I would have to study all the facts and figures to really find out, and I'd like an opportunity to do that at length before I can make any kind of comment on it.

Mr Smitherman: But you did make a comment on it. You used the word "abuse" twice in your comments.

Ms Sutherland: I experienced that in the private industry and, yes, I think we all have experienced and seen situations where individuals have been collecting disability; one day they're down picking up their cheque and the next day they're on the roof putting up shingles. So I think it's out there. I don't know what the balance is. But on the other hand there are people who need that disability who aren't getting it, too. We don't want to take it away from the people who really need it.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Ms Sutherland, I noted more than once during your comments that you referred to your area of expertise and your past experience in dealing with people with disabilities. However, again in your opening remarks you speak about your experience as a financial controller and a stockbroker. As I review your resumé, your work experience is clearly in the business sector. When I look at your volunteer work, you've volunteered for golf associations and private schools in this province, and you are particularly interested in the arts and drama and so on. I guess what I'm really searching for is, when you make reference to your experience, is it the personal experiences that you outlined, those two close—I mean, I'm looking for some demonstration in your community. Did you volunteer at the food bank? What kinds of volunteer charity drives have you been a part of? I just don't see them listed here.

Ms Sutherland: I have volunteered at various things over the years—it's been many years—with the elderly. You mentioned my financial background. Yes, I do have, it seems, a strong financial background. There has to be a good balance. Yes, you're right, my experience is not just having worked at hospitals and with the mentally and physically handicapped on a professional basis but my personal experience as well.

Mrs Dombrowsky: This is a quasi-judicial role. What experience would you have in that type of role?

Ms Sutherland: I don't have any. I would hope that the commitment to the training, which I would certainly have, will give me the tools necessary to do a good, fair, impartial—

Mrs Dombrowsky: You indicated you were aware of the value of a good benefits program. Do you believe the Ontario disability support program and the welfare program in Ontario are good benefit programs for people?

Ms Sutherland: I don't have enough information to make a comment on that.

Mrs Dombrowsky: Are you aware that people on Ontario disability have not had an increase in their compensation in 10 years? They've just had an anniversary this week.

Ms Sutherland: I'd have to study that more to make a comment. I really don't know.

Mrs Dombrowsky: Are you aware that this government rolled compensation for people on welfare back by 21.3%?

Ms Sutherland: Am I aware of what? Sorry.

Mrs Dombrowsky: That this government rolled compensation for people on welfare back by 21.3% eight years ago.

Ms Sutherland: As I said, I'll have to study it very, very closely, at length. Never having been involved with this type of legislation before, I really am going to need the opportunity to sit down and look at all of the legislation carefully. I don't think it would be fair today to make a comment or a judgment, not having all the information in front of me.

Mrs Dombrowsky: Ms Sutherland, you are going to be working with people who have been intimately involved in this benefits program for a number of years or have attempted to be involved with it for a number of years and they are very familiar and aware. So in fairness to them, don't you think it would be important that you would have some understanding of their experience of what the history of this province is and has been in terms of how these people have been supported?

1320

Ms Sutherland: I have had experience in that, Mrs Dombrowsky, with my mother over the years. So I do have personal, first-hand experience with that that, yes. Absolutely.

Mr Smitherman: Do I have time for one final question, Chair?

The Chair: You have a minute and a half.

Mr Smitherman: Earlier you mentioned that Frank Klees was the one who pushed your paper within government, to use an expression. Someone clearly, at a very high level in this government—a political person—said, "This is a candidate for an appointment that is in our interest to move forward." That's the way the system works, and I think you know that. What kind of event was it that you met Frank Klees at where you first mentioned that you wanted to get back into the workforce?

Ms Sutherland: At a golf game.

Mr Smitherman: A golf game?

Ms Sutherland: Yes. I've known Mr Klees for many years. He's very aware of my experience and my abilities. He has met me on social levels, he has seen me in social situations, he knows my feelings about things. So I think from that standpoint it was something he may have felt I would be good at, based on my experience and my past history.

Mr Smitherman: Was it a PC Party-organized golf tournament?

Ms Sutherland: No.

Mr Smitherman: A political fundraising golf tournament?

Ms Sutherland: No. Actually—

Mr Smitherman: It was a private golf game with Frank Klees?

Ms Sutherland: No, it was actually the mayor's tournament, I believe.

Mr Smitherman: Which mayor?

Ms Sutherland: Mayor Lastman.

The Chair: That's it. Your time's up. We move now to the third party.

Mr Michael Prue (Beaches-East York): First of all, I'd like to say hello. I don't think I've ever met you, although I did work with Paul for a number of years. I'm a little bit curious and puzzled, although I never really questioned Paul and maybe it's not fair to ask you, about the whole question here about Morland Marketing Inc. What happened to that company?

Ms Sutherland: It's out of business.

Mr Prue: Did it go bankrupt?

Ms Sutherland: Yes, it did.

Mr Prue: What is the status of that bankruptcy?

Ms Sutherland: First of all, I'm very disappointed that you feel it's necessary to bring up a personal issue at this meeting. However, having said that—

Mr Frank Mazzilli (London-Fanshawe): On a point of order, Mr Chair: I would just ask that you interject. I would like the questioning to stay on the proposed appointment to this tribunal, and I would ask that you certainly rule any personal matters out of order.

Mr Prue: With respect, it's in the resumé. The first item was "back into the workforce" and that she has financial experience. I want to make sure that the financial experience will be appropriate.

The Chair: It is relevant, but a candidate for the office may answer whatever way the candidate sees fit.

Mr Prue: Yes. If you don't want to answer it, just tell me.

Ms Sutherland: I'll do my best to explain. Let me do my best to explain, Mr Prue. It's very painful to me because it's something that's this way. A trusted friend of over 10 years, who was a chartered accountant, was handling all the finances of the company I was a part of. It came to light in the year 2000 that he was stealing money, he was forging signatures, he was committing fraud. I pressed charges and I sued him. He declared bankruptcy and it forced my business into bankruptcy as well. It is still very painful. This was a person I trusted for 10 years.

Mr Prue: I can understand. Are you yourself in bankruptcy? Are either you or your husband in personal—

Ms Sutherland: As a result of what he had done, I made every effort, personally, to make good on some of the things, and I didn't realize the magnitude of what he had done. As a result, it forced me into personal bankruptcy. It was discharged, however, in November 2001.

Mr Prue: So it's discharged?

Ms Sutherland: Yes.

Mr Prue: That's what I wanted to know. That's fine. So you are not today in bankruptcy?

Ms Sutherland: No.

Mr Prue: Thank you.

You went to work in Turks and Caicos. I'm a little bit curious here because—oh, you were there for 19 months?

Ms Sutherland: About that, yes.

Mr Prue: Were you residing there full time?

Ms Sutherland: Yes, I was.

Mr Prue: What made you leave that financial arrangement?

Ms Sutherland: My husband was convinced to come back and run in the municipal—

Mr Prue: That would coincide exactly. All right. So you came back for him?

Ms Sutherland: Yes. Well, to keep the family together, of course.

Mr Prue: I've looked at the resumé, and the resumé has not been in areas related to government or govern-

ment business or welfare or social services. What gives you this interest?

Ms Sutherland: As I said in my opening statement, having worked at London Life and dealing with companies, it was a commitment I had. I truly, truly believed that companies should invest in their employees and should have good benefits programs, no matter how small the company: dental plans, extended health plans, drug plans and long-term disability as well. In that business I have seen people on long-term disability—also my personal experience, as I indicated, with my mother and my father.

Mr Prue: I think that's all. Thank you.

The Chair: Thank you, Mr Prue.

Mr Mazzilli: Are we done? We're done?

The Chair: You're done, unfortunately. Sorry about that. I always like to accommodate you, as you know.

Thank you very much. That completes the questioning. You may step down.

Ms Sutherland: Thank you, members of the committee.

EDWIN PARKER

Review of intended appointment, selected by official opposition party: Edwin Parker, intended appointee as member, Quinte West Police Services Board.

The Chair: Our next intended appointee is Edwin Morton Parker, intended appointee as member, Quinte West Police Services Board.

Welcome to the committee, sir. You may assume your position at the desk or dais or whatever we call it. I know you're aware that you have an opportunity, should you see fit, to make an initial statement; that's always the choice of the nominee. Subsequent to that, there will be questions from any of the members of the committee who wish to ask questions.

Mr Edwin Parker: Very briefly, I appreciate the information that has been sent to me so that I had some idea what this appointment might mean. As you're no doubt aware, we in Quinte West have had some difficulties with both the police services board and the police force itself, which has gotten a lot of paper—and not necessarily good paper. There appeared to be an opening and someone suggested that maybe I should apply for it, and I did. So here I am.

The Chair: Thank you very much, sir. We commence our questioning with the official opposition.

Mr Smitherman: Mr Parker, would you refer to yourself as a good friend of Doug Galt?

Mr Parker: I support him politically, if that's what you mean.

Mr Smitherman: That's not the question I asked.

Mr Parker: Am I a good friend? No. We don't have dinner together or anything like that.

Mr Smitherman: That's your definition?

It's a pretty important position, I think you'd agree. I think you said there are some difficulties with the Quinte West Police Service and with the police themselves.

Obviously anyone being appointed to go in and clean it up must, I guess, be beyond reproach. So I'd ask you, very simply, have you ever been in trouble with the law?

Mr Parker: In what way?

Mr Smitherman: I think it's a very clear question, sir.

Mr Parker: I did have a ticket for not wearing a seat belt on one occasion, and I pleaded guilty once to careless driving.

Mr Smitherman: I'd like to maybe help you by refreshing your memory.

Mr Parker: Sure.

Mr Smitherman: I understand that in the not too distant past, in July 2001, you may have been charged with an incident that occurred in your town related to drunk driving. I'd like you to confirm—

Mr Parker: I may have been charged, but I wasn't convicted.

Mr Smitherman: Could you please confirm for the committee what you might have pleaded out on.

Mr Mazzilli: On a point of order, Mr Chair: Certainly anyone who has been charged with anything that has been dismissed by the court—it is not something that is public knowledge to people. This kind of questioning is certainly beyond anything that's acceptable in a court of law.

1330

Mr Smitherman: Well, with respect—

The Chair: I just want to hear from Mr Mazzilli. You say that is not public knowledge?

Mr Mazzilli: Well, no. Once a charge has been dismissed by a court, if that's the case, a person is presumed not to have any kind of record. So this kind of questioning certainly wouldn't be permitted in a court of law and shouldn't be permitted by this Legislature.

Mr Wayne Wettlaufer (Kitchener Centre): This is bottom-of-the-barrel politics.

Mr Smitherman: If I might respond.

The Chair: You can respond. It's a point of order.

Mr Smitherman: Firstly, it's Mr Mazzilli's word on the issue of its being dismissed. I asked a question of the witness.

Mr Mazzilli: He said he was not convicted.

Mr Smitherman: He said he wasn't convicted of impaired driving, and I asked him the question, did he plead out on a different charge? You came to his defence at that point, Mr Mazzilli—

Mr Mazzilli: I did.

Mr Smitherman: —and he did not answer the question. So your allegation against me is not yet confirmed by this gentleman, and I'd like to give him the opportunity to do so.

Mr Mazzilli: I'd ask the Chair to rule on it.

The Chair: He may answer this question if he sees fit.

Mr Parker: I already said that I pled guilty to careless driving.

Mr Smitherman: On the issue of pleading guilty to careless driving, I had asked you a question about whether you were beyond reproach, whether you'd had

any difficulty with the law, and you didn't seem too inclined to lead up to that. So let me just relay the events as I understand them, and you correct me where I may be wrong. I understand that there was an incident in which an informant, if you will, some people in your community, called the local police after they witnessed you in a state of intoxication that they felt might be a risk to the public; that you were driving home from an event; that you stopped at a convenience store, and the people in the convenience store called the police; and that they subsequently appeared at your house. Is that accurate?

Mr Parker: Well, the people who were in the convenience store did not call the police.

Mr Smitherman: They did not?

Mr Parker: Apparently some lady did. I don't know who it was, but I know who it wasn't. Eventually the police came. I was in my house at the time. They hadn't seen me drive. They hadn't seen the car move.

Mr Mazzilli: On a point of order, Mr Chair: If Mr Smitherman is going to go about this kind of questioning, certainly he shouldn't be leading into a statement and asking the witness, if you will, to agree or disagree. If you want his version of what happened, ask him, but don't put words in his mouth by reading some sort of a third- or fourth-hand version of what you have. Careless driving is a provincial offence, like not wearing your seat belt, under provincial legislation. He told you he was not convicted of impaired driving and pleaded guilty to careless driving. Do you want to put every Ontarian through this sort of situation after they've been in court?

Mr Smitherman: Mr Mazzilli, not every Ontarian is being recommended by your government to play a role on a police services board.

Mr Mazzilli: Well, not every Canadian gets appointed as ambassador to Denmark after—

Mr Smitherman: I'm sure that's relevant. If I might, sir, ask you this question: in Quinte West, which is a small community, I think you'd agree that a member of the police services board is a high-profile appointment, and on the issue of the fact that you had charges laid against you by officers in that police service, do you not see the inherent conflict of interest of being seen as someone who on the one hand is asked to go and clean something up while on the other hand having fairly recently been involved in a legal matter with these very same officers? Do you think that, in terms of the goal of cleaning up the Quinte West Police Service, you are in the best position of all the people in that community to be put forward by the government to do that?

Mr Parker: First off, I don't think that being a member of the police services board is a high-profile position; until recently nobody even knew who sat on them. It's only recently, since there has been some difficulty, that it has become somewhat more high-profile. I don't look upon myself as somebody who is going to go in and clean up anything. I hope I would be able to offer some reasonable, well-judged opinion, but I'm not looking to be on a crusade.

Mr Smitherman: I find your answer is a bit challenging. On the one hand, you say that you don't think the police services board has been high-profile, and yet in your very opening statement you said that a lot of paper has been written on it. So you are acknowledging that at the moment the issue of police services—

Mr Parker: In the very recent past—

Mr Smitherman: Sir, I have not finished my question.

Mr Parker: Sorry.

Mr Smitherman: I think you'd agree that at this time the issue of police service in Quinte West is a very high-profile matter.

Mr Parker: It may be.

Mr Smitherman: And you continue to stand before this committee and suggest, at a time when policing is a high-profile and contentious matter, that you stand as the best possible nominee of the government of Ontario to be on that police services board? Because that's what the appointment process in this province should be suggesting.

Mr Parker: Without question, there may be other people in the city of Trenton or the city of Quinte West who are better than I am. I can't give you their names. But that certainly is a possibility.

The Chair: Further questions? Mr Prue.

Mr Prue: A fairly simple question: you list here that you were on city council for five years. Were you a councillor or a mayor? What were you on city council?

Mr Parker: No, I wasn't mayor. I was chairman of finance for five years.

Mr Prue: Was that an elected position?

Mr Parker: Yes.

Mr Prue: When was that?

Mr Parker: A long time ago; maybe 25 years ago.

Mr Prue: Did city council in those days appoint people to the police services board?

Mr Parker: I don't remember us doing that. It may be that we did back then, but I don't recall that.

Mr Prue: Might it have been the regional government that did it?

Mr Parker: We were a separated town at that time. I presume there had to be a police commission, as I think it was called then. But I don't recall any period, and I was there for five years, when we in fact appointed anybody there. But that's not to say it wasn't done.

Mr Prue: As a city councillor, though, you must have appointed a great many people over five years to many boards and committees of Belleville or Trenton.

Mr Parker: It would have been Trenton.

Mr Prue: Trenton. You must have appointed a great many people to boards and committees. As an example, you said that you were on the community gardens board—

Mr Parker: That was before I was a councillor.

Mr Prue: —a recreation board and a parks board. They must have all been similar types of appointments that you made.

Mr Parker: I didn't make those.

Mr Prue: Who made them?

Mr Parker: The parks board appointment was made by the mayor and council. It was headed by Ross Burt at that time.

Mr Prue: Perhaps my question wasn't clear enough. I noticed that you were on some of these. Of course, you would have been appointed by the mayor and council, the same way as when you were on council you would have appointed other people as well.

Mr Parker: A similar sort of thing, yes.

Mr Prue: Just in terms of some of the answers you gave, could you explain to me—because this is a pretty small resumé, although it has a lot of things in it—what makes you think that you are qualified to sit on such a high-profile board? What do you do that qualifies you?

Mr Parker: I've been involved with the community for quite some while. I've run and operated a manufacturing business for over 50 years. I've been involved with a lot of people in that period of time. I've been active in party politics, both federally and provincially. I never ran as a candidate, but I've been active. I think I'm a people person. I'm sure there are others who are equally as good or better, but I think I can do that job fairly well.

The Chair: No further questions? Mr Mazzilli.

Mr Mazzilli: Sir, thank you very much for appearing today. For all the abuse that you've taken, how much does this job pay?

Mr Parker: I don't know.

Mr Mazzilli: Let me suggest to you that it's likely a volunteer job.

Mr Parker: It could well be. I don't have anything against volunteering.

Mr Mazzilli: That's right, and that's why I appreciate you coming here today. Do you know what the makeup of the Quinte police services board is; how many members?

Mr Parker: Five.

Mr Mazzilli: It's a five-member board. Three of those members are appointed by the municipality?

Mr Parker: As I understand it, the mayor is normally one. If, for whatever reason, he doesn't serve, then a councillor would be appointed to go there. There is one other councillor appointed, and there are two who are appointees of the provincial government.

Mr Mazzilli: That's correct. Certainly the voting power, if you will, remains with the municipality, but you're there to represent the people of Quinte, obviously, in the governance of the police services board. How do you see representing those people? What would be your objective if representing the people of Quinte West?

1340

Mr Parker: At the moment, we're not quite sure if we're going to have our own municipal police force, whether the Ontario Provincial Police are going to take over or whether we're going to amalgamate with the city of Belleville. As late as last evening they still hadn't come to any conclusions. I think your action would be somewhat different, maybe, if we were with the OPP; I'm not sure just how we would fit there. But I really

think our job is to give support to the police force to deal with the chief or the deputy chief, as the two who may be concerned, to try between the group of us to sort things out in an amicable way so we can move forward.

Mr Mazzilli: I thank you for taking on the challenge. That's my final question.

Mr Wettlaufer: Mr Parker, I just want to apologize to you on behalf of all of the members of the Legislature for the rude, aggressive, confrontational line of questioning directed at you by Mr Smitherman. In eight years in this Legislature, I have never heard any MPP direct that kind of questioning at someone who is appearing for an appointment. I think it is the lowest form of gutter politics.

Mr Smitherman: What would your EA say?

The Chair: Do not interrupt, please. Mr Wettlaufer has the floor.

Mr Wettlaufer: Thank you.

The Chair: Mr Johnson.

Mr Bert Johnson (Perth-Middlesex): I was going to start out my questioning by asking if you're the worst criminal in Quinte West, but I wanted you to know that the police service is a very serious and important business in any community. I wanted to know if, with your experiences, that gives you a kind of bias with how you would be looking at your future as a board member with the Quinte police services.

Mr Parker: I don't quite understand your question, sir. Do you mean the fact that I had a run-in with a couple of policemen would affect the rest of my life?

Mr Johnson: Yes, sir, I do.

Mr Parker: I'm not that small.

Mr Johnson: OK. Because one of the things I heard from across the way with the last interviewee was that they thought they should have some experience with the job they were being appointed to. If so, I just wanted to, I guess in a lighthearted manner, say that your experience should be of benefit and a growing experience, and give you a different viewpoint on how your duties would lie in front of you if you succeed in your appointment to this. I wish you well.

The Chair: Any other government questions?

Mr Wood: We'll waive the balance of our time.

The Chair: Thank you very much. Sir, you may step down.

DOUGLAS ROLLINS

Review of intended appointment, selected by official opposition party: Douglas Rollins, intended appointee as member, Ontario Parole and Earned Release Board.

The Chair: Our next intended appointee is Doug Rollins, intended appointee as member, Ontario Parole and Earned Release Board. Welcome to the government agencies committee, Doug. It's good to see you today.

Mr Douglas Rollins: Thank you. It's nice to be back. It's nice to see some friendly faces.

I want to thank you for giving this privilege to come before the committee. I hope you see fit to support my application to be on the parole board.

A little bit about my background that many of you maybe don't know: I had a small business, a service station and repair business, for some 33 years in Belleville. I was very active in our community, and looked after some children who were having trouble in school as far as classes were concerned, and we continually had people at our business, children who were having a hard time making it in school. We'd give them a little bit of a break in life to have them out dealing with the public.

Previously, when we had a farm out at Corbyville, I was very supportive in putting together a group of people, and there were only four of us, who supported a children's group home in our area because many of the neighbours felt that it was very wrong to have these children who were in trouble in our neighbourhood. We were very successful in keeping that group home there and we were very successful in the rapport that we've had with that group home because they didn't cause a problem in the community, like many of our neighbours thought they were going to. It worked out very well.

True, as far as the parole board is concerned, I'm more familiar with it now than I was before they asked me to put an application in; however, we've learned more about it. I think it has to be looked at from a risk factor, from the risk to society, the risk to the offender we are letting out or who is applying for parole. In my judgment, both in my personal life and my business experience, I can be prepared to make those kinds of decisions, to listen to those people in an unbiased way to be able to give them a fair judgment of whether we should let them out on parole.

As some of you people may not be aware, when you put them out on parole, you do put some conditions on the parole. When you let a person serve their entire time, when they walk out of the institution that day, they're free; there are no strings attached. Putting people on parole, you do keep them on parole for the entire length of that sentence. I think that is a way of bringing them back into our community to make them good citizens again, where you can help guide their needs to bring them back into the community.

Other than that, I look forward to your questions.

The Chair: Thank you very much. We begin our questions with the third party.

Mr Prue: I have four areas. I'm going to try to canvass them all. The first is that you have listed in your resumé, which are all one-liners, "involved with local and provincial politics." I maybe wouldn't have asked it, but you said it was good to be back.

Mr Rollins: I guess you are probably one of the few in the room, maybe two of you or three, who haven't—

Mr Prue: I've only been here 18 months.

Mr Rollins: I had the pleasure of being here from 1995 to 1999, for four years. So that's what the involvement was there, and I've always been fairly active in our community and provincial and federal politics.

Mr Prue: OK.

Mr Rollins: And if you don't know for sure, I was PC.

Mr Prue: I could have guessed that.

Mr Rollins: OK, all right. I just wanted to make sure.

Mr Prue: I didn't need to ask that question.

This is a job that involves some knowledge of the quasi-judicial process of understanding how boards, especially ones that make such tough decisions, operate. Have you ever worked on or been part of a quasi-judicial process?

Mr Rollins: No, I haven't.

Mr Prue: Have you ever attended quasi-judicial processes?

Mr Rollins: Yes, I have.

Mr Prue: In what capacity?

Mr Rollins: I have attended different hearings, when I was a member of Parliament and also in my own private life, to listen to some of the judgments that have been made by other people. I think that is a reflection, so to speak, of my common sense, of being a citizen and wanting to serve my community and to look after the interests of my community. I'm not interested in having people on the street who are going to cause my community a problem, but I'm also quite interested in making sure that there are people out there who should be back out on the street, to help them realign their lives and make sure they are good people of society.

Mr Prue: The second thing that this involves is the writing of legal decisions. You have to write the decisions in a legal way that will withstand the scrutiny of the chair and possibly the courts. Have you ever had any experience writing legal decisions?

Mr Rollins: No, I haven't, but we will be getting some training in that factor to be able to write those requests out—the risk factors for approval or for rejection, either one.

Mr Prue: I note—we got some research and information—that the number of people being granted parole has significantly declined from some 52% 12 years ago down to 29%—it's a little over half of what it was—while at the same time the reoffending rate has doubled in that same period. Any comment on that?

Mr Rollins: The only thing is at the present time, under the way the laws have been changed—I think they were changed in approximately 1996, if my memory serves me right—there's a large number of people now not asking for parole for the simple reason that when they are excused on two-thirds of the time they serve, then they walk out of that door with no strings attached. A lot of people would rather stay that extra 10, 20 or 30 days or whatever it is to be able to walk away with no strings attached than ask for parole. When they are put on parole, there are generally some restrictions that are put on to them that they have to live with for a longer period of time. It's the people who are in the system who choose whether to apply for parole or not.

1350

Mr Prue: Do you think more people should be paroled?

Mr Rollins: I think everyone has to be looked at as an individual. I think you have to look at them as individuals. The biggest question is, are they a danger to society? Is there a danger that they will reoffend? If those risks are there, then I think you have to make that decision from those points. I don't think you can pre-judge whether there should be 28% out or 55% out.

The Chair: Thank you very much. We move to the government. Mr Wettlaufer is first; Mr Mazzilli is second.

Mr Wettlaufer: Good to see you again. Doug, you know my feeling, I believe, on parole. We had another prospective appointee—I don't know if she was appointed or not—here a couple of weeks ago. I told her, and I will tell you, that I have a very strong belief that if people commit a crime, they do the time. I'm not a fan of paroles.

I notice that we have had a steady increase in the reoffending rate of parolees from 1997-98 to the present day. It has gone from 2.3% to 3.7%, so it has increased 50%. In the ministry's business plan for 2002-03, the ministry has set a performance target of achieving a reoffending rate of less than 4.5%. That would actually entail a worsening of performance from the present 3.7%. The auditor recommended that the board set a much more stringent target. I wonder if you have a comment on that.

Mr Rollins: There again, I think that on any kind of board that you join, you have to look after each one as an individual that you have before you. I think that is the criterion that you need to look after, rather than making quotas and numbers. It's easy to say it's 50% higher. Well, if you start out with two and you double it to three, it's 50% higher. I think when you look at the numbers who really do reoffend, 7% of 500-and-some people who were let out last year, or 35, have reoffended. Does that mean that the other 400-and-some-odd people who didn't reoffend maybe got back into society because there was some parole and because they were asked to meet some conditions under parole, like going to AA, going to anger management, taking up defensive driving training if it's a driving problem, or, if it's a break-and-enter, that there are some things they can be taught?

If we can bring those people back out into society and put them as paying members to society rather than a detriment on society in keeping them, I don't know where we—I know your feeling is that you want to think that you do the time, you'll be there. Is it any advantage to that person whether he's done 60 days or whether he does 90 days? The thing is that when he does the 90 days and he is let out free with no strings attached, maybe he goes out and reoffends again quicker. Those people who do that are a higher rate of reoffenders than the people who are basically granted parole.

Mr Mazzilli: Mr Rollins, thank you for appearing. I'm certainly impressed at your answers both for Mr Prue and Mr Wettlaufer, because you didn't bite at the num-

bers. I'm impressed by that, because you can make these numbers do whatever you want them to do. If you have fewer people getting parole, obviously the reoffending rate—you're dealing with the hardened criminal—is going to double. It's going to be higher. You have fewer people getting parole, and you're going to have some hardened criminals out there. The likelihood of them re-offending when they get out is going to be slightly higher. So you certainly didn't bite on that argument.

The one thing that the parole board has taken very seriously in Ontario is people getting treatment and completing programs. Without those programs, you will not get parole. Substance abuse, as we have heard, is an enormous problem, so if they have not gone through the program for substance abuse, there is no point in the parole board allowing someone to receive parole. Obviously they're going to reoffend; they're still addicts. Although it's likely not the best solution to keep them in jail, in many of those cases, by keeping them in jail you're also keeping those people alive, because of their substance abuse. So good luck with your challenge on this board of review.

Mr Rollins: Thank you.

Mr Johnson: I'd like to say "Doug" if I could. I was going to ask you if you were a member of the Conservative Party now or ever had been in the past and so on. That was taken away from me in the questioning. I was going to ask you if you thought that in order to be a board member with the Ontario parole board you should have been on parole yourself at any time. That's out of my hands as well.

I just wanted you to know that I sat beside you for a couple of years in this Legislature and I know you're no bleeding heart. But I also know that you contemplate and think about what you do and the decisions you make very carefully and that you deliberate on your decisions. So I just wanted you to know that I have absolutely no hesitation in voting for your appointment to this board.

Mr Rollins: Thank you, Bert. I appreciate that.

Mr Smitherman: Mr Rollins, my condolences, not only for the fact that you had to sit beside Bert Johnson for two years but for what your bullet point resumé leaves out: that you were a Tory MPP. It also leaves out that you were a contestant for the Tory nomination to run again this time. So tell me how it is that you're before this committee today. Is this a consolation prize?

Mr Rollins: No, I don't think so. One of the appointees on the board, and our neighbour at the present time, Ted Parker—not the Ted Parker who was here, but a person who is on the parole board at the present time—I know that his time is expiring this summer. I want to be part of our community, and as a citizen I felt I could contribute something toward it and therefore I put an application in.

Mr Smitherman: Mr Mazzilli said, "... make these numbers do whatever you want them to do." He thinks that you can make any number dance and say what you want. I want to try a number out on you. Are you aware that 51 other former candidates and MPPs for the

Conservatives since 1995 have been appointed to government agencies, boards and commissions?

Mr Rollins: Has that made the board better or worse?

Mr Smitherman: Interestingly, in this format I get to ask you the questions.

Mr Rollins: Oh, I see. OK.

Mr Smitherman: Does that number—

The Chair: Actually, I should say, Mr Smitherman—

Mr Smitherman: Well, he doesn't have to choose to answer, but I—

The Chair: —the nominee can answer in whatever way he sees fit.

Mr Smitherman: Your resumé shows no background in criminology, any experience with parole or early release programs. You've obviously done a little bit of reading in the last 10 or 15 minutes or longer. But interestingly, during your four years in the Ontario Legislature you never made any single reference whatsoever to parole. So is this just a new experience for you, boning up for today's presentation?

Mr Rollins: No, I don't think so. Having watched television and the channel here periodically—have you made any statements on parole in the Legislature? I haven't heard you making them. I'm not saying you haven't made them, but I haven't heard you making them. I think when I was in government I stood up and talked on things that I was interested in, and at that time it was some different things.

Mr Smitherman: So this is a new-found interest?

Mr Rollins: It is new-found, per se, but I think it's something that our community needs and we need to be part of it.

Mr Smitherman: My last question would be: in a previous appointee we got a fairly good sense that the government whip, I think he is, Dr Galt, was a proponent for a candidate's moving forward. We heard that Mr Klees had been involved in an earlier one. What was your route of contact to this proposed appointment?

Mr Rollins: My route of contact was to send it to the appointments board. Having been here, I know that's the procedure it goes through, so that's whom I sent it to.

Mr Smitherman: Any phone calls or personal contact with any elected member of the Legislature around this?

Mr Rollins: No.

Mr Smitherman: None whatsoever?

Mr Rollins: None whatsoever.

Mrs Dombrowsky: Good afternoon, Mr Rollins. You made some reference in your remarks that you understand that people who would be appointed to this board would receive some kind of training. Are you aware that the auditor has in fact significantly questioned the value of that training and has suggested that probably members of the board should also have a role in determining who would be on the parole and earned release board; in other words, there's really no way to assess whether the training you would be receiving is in fact preparation that really is valid?

1400

Mr Rollins: We have received some training and we'll be getting more, because we have started into the process—

Mrs Dombrowsky: Even before you're appointed?

Mr Rollins: Well, yes, because there was a process going on previously and we spent a few days on information, what's going on—those courses that are being put on are by people who had previously been chairs of the parole hearings.

Mrs Dombrowsky: Just so that I'm clear, before you are appointed, you go through training?

Mr Rollins: As soon as my appointment went in, we started to receive information about parole, so I had to read up on it. It's probably about this thick, so it wasn't something that could be put in for a matter of one or two days' reading; it was more than that.

Mrs Dombrowsky: With respect, Mr Rollins, you've indicated you know the process. You should know that your appointment isn't valid until this committee votes on it.

Mr Rollins: That's true.

Mrs Dombrowsky: So the point that I think is important to be made is that you're being trained for a role you have not yet been appointed to.

You have indicated in your remarks that you obviously were a member of the Progressive Conservative government. Would it be fair to say that you wholeheartedly support everything this government does?

Mr Rollins: Absolutely not. I didn't when I was here and I still don't.

Mrs Dombrowsky: Are you familiar with this headline from the Belleville Intelligencer, April 26? It says, "Tories Lied Says Rollins."

Mr Rollins: Yes.

Mrs Dombrowsky: Can you perhaps tell us about what that headline refers to?

Mr Rollins: Yes. In 1995 or 1996, I believe—what's the date on that?

Mrs Dombrowsky: It's 1996.

Mr Rollins: In 1996, when the education system was under change, our school board in Hastings county said that they had given pink slips to everybody who were teachers. Our member of Parliament at the present time, who was then chair of the board of Hastings county, Mr Parsons—I believe you know who he is—gave out pink slips to every teacher we had. The statement I made at Trenton High School was that if we had fewer teachers teaching in Hastings county after we had made our adjustments to it, then this government had lied. But the fact of the matter was, when it was all said and done, we didn't have fewer teachers; we had as many, if not more. The thing we did have fewer of was students. That was where they picked up the idea that, yes, the government had lied. I would back it up 100% that we as a government did not lie to the people of Hastings county in saying that we had fewer teachers in our system before than after. We had fewer students, but per teacher we had—

Mrs Dombrowsky: You were asked by a student to clarify your remarks. In fact, you are quoted as saying, "Yup, on that part, we did lie."

Mr Rollins: If that was to be. But it never did get to happen.

Mrs Dombrowsky: The point that I would suggest I'm trying to make here, Mr Rollins, is that you are being appointed to a quasi-judicial role, a role that should inspire some confidence in the people who would go there to seek a fair hearing. I guess I personally have some very serious concern, particularly given the quasi-judicial nature of the role to which you are intended to be appointed, that you suggest in very public forums that people lie, and whether you make an excuse for it or not, I do have some problem with that. I think that even within the community there may be some question around how solid you would be in this particular role.

Mr Rollins: If you want to ask some of my neighbours how solid Doug Rollins thinks he is or isn't, I'd feel free to let you go ahead and do that. My record is what it is and I'm not beyond standing up and saying exactly what I feel. If I don't agree with something, I'm not beyond saying I don't.

The Chair: I think that completes all the questions. Thank you very much, Mr Rollins, for being with us today. It's good to see you again. You may step down. The committee will now deliberate, as we say.

Mr Rollins: I hope you give it the right thought. Thank you.

The Chair: Thank you very much for being with us.

We will deal with the appointments review now. The first appointment is Rhea Sutherland, intended appointee as member, Social Benefits Tribunal.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. To begin with, any discussion of this appointment?

Mr Smitherman: Yes. I would want to put on the record opposition on the part of the opposition party to this appointment. I think in testimony before the committee the intended appointee clearly indicated that she got here by political means. In my observation, that is the primary reason her candidacy has been brought forward: by her political connection to the PC Party, by the fact that her husband was last night nominated to run in a Toronto-area riding. Her association with Frank Klees from a golf course is where this was initiated.

I think under questioning she also exhibited a very narrow basis from which to be taking on responsibilities that are, for too many Ontarians, life and death. So we'll be voting against it and I'd ask for a recorded vote.

The Chair: Other speakers, please.

Mr Wood: I think that Ms Sutherland showed both the business background and the personal background that give her the potential to be a very good member of this board, so I, for one, am going to support it.

Mr Mazzilli: Likewise, Mr Chair. I just want to state for the record that what I heard and obviously from the resumé there is a strong background in nursing. When we look at the Social Benefits Tribunal, many of the people,

through no fault of their own, because of a mental illness, fall into going before a board like this and pleading their case. Someone not only with strong management skills and financial skills but with the compassion and insight on mental illness is an asset that is hard to come by. So I will be supporting this appointment.

Mr Wettlaufer: I can only say that I am offended by the tone of the comments made by Mr Smitherman. I think it displays a total lack of understanding that a woman today, with this woman's qualifications, can be independent of her husband. I thought we crossed that bridge 30 years ago, for heaven's sakes. To think that because a woman is married to someone who has been nominated—not even elected—for a political position, that she should be automatically discounted regardless of her qualifications and her abilities—I'm sorry, I find it very offensive. I know the people in my riding find it very offensive and I believe the people in Ontario find it very offensive. I would say that I will be supporting her.

The Chair: Any others?

Mr Prue: I must admit that I do have a little bit of a problem with this application, and it's not because of who she is married to or what party she may or may not belong to. It's that the whole basis of the application appears to be outside the realm of what we hope the appointee will do. This is someone who, I would suggest, needs a very strong basis in social policy, someone who would have worked as a social worker or within the community most of their lives to gain the experience that would be necessary to sit in judgment on people who are at marginal levels in society. I do not see this here. What I heard is a strong business background, not only from the applicant but by those who are supporting the application. I must say that from the answers to the questions, I'm not sure that that strong basis in business background is there and I'm not even sure that it's appropriate.

I will not be speaking, I don't think, against the other two applications, but I think this one here is weak and there could be better candidates.

The Chair: Any other interventions? If not, I will call a vote. I've been asked for a recorded vote by Mr Smitherman so we will call the vote on this application on the motion by Mr Wood.

Ayes

Johnson, Mazzilli, Wettlaufer, Wood.

Nays

Dombrowsky, Prue, Smitherman.

The Chair: The motion is carried.

The next individual is Edwin Morton Parker, intended appointee as member, Quinte West Police Services Board.

1410

Mr Wood: I ask that the consideration of this be deferred to the next meeting.

The Chair: A request has been made that consideration be deferred to the next meeting and that is accepted. That is an acceptable request.

Mrs Dombrowsky: Could I just ask that you remind us what in fact that means; that we will be voting on it at the next meeting?

The Chair: That is correct.

Mrs Dombrowsky: We don't have an opportunity to make any comments on it today, but when we vote on it?

The Chair: I'll ask our clerk. Does that mean there's no comment, no debate?

Clerk of the Committee (Ms Anne Stokes): It will be moved at the next meeting.

The Chair: It will be moved at the next meeting. Whatever motion is forthcoming next meeting, there would be an opportunity for comment and a vote at that time. It has to be within seven days, I'm informed.

Mr Wood: We might seek unanimous consent to simply put it over to the next meeting.

The Chair: Yes, that is something we can—

Mr Wood: Maybe I'll ask unanimous consent that it be put over to the next meeting of the committee.

Mr Smitherman: No. Why would we?

Mr Wood: Otherwise, you have to meet in a week. It goes over a week or to the next meeting.

The Chair: A request has been made. Are you putting that in the form of a motion?

Mr Wood: I would ask for unanimous consent that this be deferred to the next meeting.

Interjections: Agreed.

The Chair: It has been agreed that this shall be considered at the next meeting.

Mr Wood: Thank you.

The Chair: The next intended appointee is Doug Rollins, intended appointee as member, Ontario Parole and Earned Release Board.

Mr Wood: I move concurrence re Mr Rollins.

The Chair: Concurrence has been moved.

Mr Johnson: Mr Chairman, just so that I don't ever be accused of lying—I said I'd support him—I'd like this as a recorded vote, please.

The Chair: Yes, we would certainly comply with that request.

First of all, any comment on Mr Rollins's appointment from members of the committee?

Mr Smitherman: We reject the notion that Mr Rollins stands out as the best candidate for appointment to this body. On the important matter of dealing with issues of parole, we think there needs to be a higher test than who you know and where you once served. Mr Rollins's appointment fits in rather well with the theme around here today, which is that you've got to be a Tory insider to move up the ranks in Ontario.

That he's been a public servant in his community is important and it's noteworthy, but the fact of the matter is that within the last few months he sought political

office in Ontario for the PC Party. He failed at his task of winning his party's nomination and coincidentally he throws together a bio of one-half page of one-liners to try and create the impression that he's ready to serve in this way. I think that on the eve of an election, in a desperate move by a government to reward their followers, it would send the wrong message about what we do with important jobs in Ontario to support Mr Rollins's intended appointment. I'll be voting against it.

Mr Wettlaufer: Methinks Mr Smitherman doth protest too much. He obviously hasn't been around Liberal politics long enough to remember that during the era of the David Peterson government, the David Peterson government made so many appointments based on no qualifications other than the appointment being a member of the Liberal Party that it was awful. It's really humorous that you would say what you have just said. It's ridiculous.

Interjection.

The Chair: Please do not interrupt.

Mr Wettlaufer: The people of my riding, I'm sure, would say it's something else, but I can't say that.

Interjections.

The Chair: Order. Mr Wettlaufer has the floor.

Mr Wettlaufer: Not any more; I'm done. Thank you.

Mr Mazzilli: I certainly want to add my support to Mr Rollins and remind the people of Ontario what these boards do and how they are represented. It's our feeling that you appoint people of all walks of life to boards and commissions. But the one thing we've forgotten in the abuse that Dalton McGuinty and the Liberals dish out is that many of these appointments are volunteer positions. People come forward who want to represent their community on a police services board or on a hospital board of some sort, certainly with some profile, but with no money.

On the Ontario parole board, part-time members—do you know what that pays? It pays \$135 a day to drive somewhere, to hear a parole and to make a decision; and to undergo training on your own time, to read materials. We're asking many retired people to give of their time, with some expertise, and all for what? The abuse that Dalton McGuinty and George Smitherman want to drag their names through the mud. That's what they continue to do. Dalton McGuinty is running around the province right now, saying he's going to increase taxes on just about everybody: seniors; you have tobacco taxes going up. There isn't anyone he's not going to screw by the time this is over.

Mr Chair, on that, I certainly will be supporting Mr Rollins.

The Chair: And I won't say what's in your pocket up there.

Mr Prue.

Mr Prue: I have listened to the arguments pro and con. To tell you the truth, I don't believe that belonging to a political party should be either a goal to get you an appointment or a hindrance from ever accepting one. One has to look at who the person is and what the

qualifications are. When I read the resumé I didn't know what the qualifications were. I will tell you, sir, that I will write "MPP" till the day I die on anything I do. I think you should be very proud to have been here for four years. I think it should be there. In my mind, that does not detract in any way from your ability to do this job.

I have to tell you that I was impressed with the way you answered my question. I was posing a question to see whether you were some hard-nosed guy who was going to stop parolees from getting out, and you danced around it quite well. I think you answered it appropriately. It certainly was the way I would answer it. I'm going to support your application.

The Chair: Any other comments?

Mrs Dombrowsky: I'm very concerned because this is a quasi-judicial role, one of great significance to anyone and everyone who comes before the board. I think they expect and would like to have some confidence that the people who will be hearing their cases, number one, might have had some experience in assessing past histories and understanding psychology. There are a variety of experiences that I think would be very appropriate background for someone intended to be appointed to this role. Unfortunately, I don't see in the resumé of Mr Rollins any of those that would stand out.

I am also concerned by the fact that in a role of some significant responsibility—I thought it was a lapse of good judgment that the kind of headline I noted would have been attributed to an individual. I think that it very fairly gives me grounds to question his ability to make good decisions, particularly under pressure or under duress. For that reason I'm not able to support this particular appointment.

Also, the Provincial Auditor has flagged for us that the kind of training that is in place at the present time may not be adequate to ensure that people in this very important quasi-judicial role are appropriately prepared for the work they're required to do.

Mr Mazzilli: I just want to continue in this debate about people coming before this board for appointments. Again, we've heard many people come before us who applied for volunteer positions. The opposition talks about some people who are not qualified. The entire purpose of these boards is to have the community represented; how would the average person make a decision on the parole board? We see what Corrections Canada does. They appoint all the experts, and they let everybody out, they send them to jail at Club Fed institutions with golf courses and so on. We won't accept

that in Ontario and we won't accept that kind of parole system.

The Chair: Thank you, Mr Mazzilli. It's always great to hear from you.

Are there any other members of the committee who want to discuss this or anything else? If not, we're going to call a vote, and Mr Johnson asked for a recorded vote.

Ayes

Johnson, Mazzilli, Prue, Wettlaufer, Wood.

Nays

Dombrowsky, Smitherman.

The Chair: The motion is carried.

Other business similar to the business raised by Mr Wood. Mr Wood, as the government whip on this committee, we have three people—Linda Franklin, John McLellan Johnson and Diane Mavrinac-Ross—who are scheduled to come forward. We're looking at the next meeting, but we may need some extensions if we're not going to be meeting soon.

Mr Wood: I would ask for unanimous consent to extend the time for consideration of those three individuals by 30 days.

The Chair: Is unanimous consent granted? It is. We've had a 30-day extension on those.

Any other business? For the date of the next meeting, the Legislature is not due back probably till May 1, where we would actually sit. Our committee wouldn't be until the first full week of May, if it were then. We could have another meeting before then, if the members of the committee decide they want to meet before then. Any suggestions, Mr Wood?

Mr Wood: I'd lean toward a meeting. How many names do we have that have been submitted to the committee and haven't been dealt with—three? I'd be inclined to take a crack at bringing us up to date before the Legislature comes back.

The Chair: What I will do, then, is have the clerk consult with the three caucuses to see what date might be mutually acceptable to all of us, if that is OK with the committee.

Any other business before the committee? If not, I'll accept a motion of adjournment.

Mr Wood: So moved.

The Chair: Mr Wood has moved adjournment of the committee. All in favour? Opposed? The motion is carried. Thank you, members of the committee.

The committee adjourned at 1421.

CONTENTS

Tuesday 8 April 2003

Subcommittee reports	A-263
Intended appointments	A-263
Ms Rhea Sutherland	A-263
Mr Edwin Parker	A-267
Mr Douglas Rollins	A-269

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Wayne Wettlaufer (Kitchener Centre / -Centre PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Michael Prue (Beaches-East York ND)

Mr George Smitherman (Toronto Centre-Rosedale / Toronto-Centre-Rosedale L)

Clerk / Greffière

Ms Anne Stokes

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

20N
219
G52



A-18

A-18

ISSN 1180-4335

**Legislative Assembly
of Ontario**
Third Intercession, 37th Parliament

**Assemblée législative
de l'Ontario**
Troisième intersession, 37^e législature

**Official Report
of Debates
(Hansard)**

Wednesday 23 April 2003

**Journal
des débats
(Hansard)**

Mercredi 23 avril 2003

**Standing committee on
government agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues



Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 23 April 2003

Mercredi 23 avril 2003

The committee met at 1307 in room 151.

SUBCOMMITTEE REPORTS

The Chair (Mr James J. Bradley): I'll bring the meeting of the standing committee on government agencies of Wednesday, April 23, 2003, to order.

We have some reports of subcommittees to deal with first of all. The first is a report of the subcommittee on committee business dated Thursday, April 10, 2003.

Mr Bob Wood (London West): I move its adoption.

The Chair: Mr Wood has moved its adoption. Any discussion? If not, I will call the vote. All in favour? Opposed? The motion is carried.

The second is a report of the subcommittee on committee business dated April 17, 2003.

Mr Wood: I move its adoption.

The Chair: The adoption of that subcommittee report has been moved by Mr Wood. Any discussion? If not, all in favour? Opposed? The motion is carried.

INTENDED APPOINTMENTS

The Chair: We have appointments review next. First, there is a request for an extension, but that requires the approval of all parties, so I had better make sure all parties are here for that. There is also a matter of another individual from a previous meeting that I think is now scheduled for the end of this.

Mr Wood: That may not be a matter.

The Chair: I see. Well, we'll see how that comes about.

JACK JOHNSON

Review of intended appointment, selected by official opposition party: Jack Johnson, intended appointee as member, Alcohol and Gaming Commission of Ontario board of directors.

The Chair: The first intended appointee is Mr John McLellan Johnson, who is an intended appointee as member, Alcohol and Gaming Commission of Ontario board of directors. Mr Johnson, you can come forward if you will, please. I didn't know your middle name was McLellan. That's my problem. I should have looked in the parliamentary guide and I would have found that out, Jack. Welcome to the committee, Mr Johnson. As I think members of the committee know, Mr Johnson is a former

long-time member of the Ontario Legislature. He comes before us today as an intended appointee.

You have the opportunity, as you know, to make an initial statement. Subsequent to that, there will be questions from the representatives of the three political parties who choose to direct questions to you. I should indicate we will be beginning with the government in the questions today. Welcome, Mr Johnson.

Mr Jack Johnson: Thank you, Mr Chairman. Members of the committee, I appreciate this opportunity to appear before you this afternoon to discuss my proposed appointment to the Alcohol and Gaming Commission of Ontario. I hope you've had a chance to look over my resumé. It is my understanding that board members represent a cross-section of the community, with varied backgrounds and expertise. They should have the ability to resolve disputes, solve problems and, above all, they should have integrity, common sense and be extremely fair.

My 31 years in business as a retail merchant, my years as a member, past and present, of the chamber of commerce, businessmen's association and director of the retail merchants' association have given me some expertise in the business field and have to be of some value to a prospective member of this board. My many years of service as a school board trustee, municipal councillor and mayor and 15 years at Queen's Park have given me the opportunity to work with and assist numerous citizens and resolve their problems, and show my ability to act in a fair and impartial manner.

As a community-minded citizen, my involvement with my church, legion and Lions Club have allowed me to meet with a very large cross-section of society, determine their needs and find ways to assist them.

Most important of all, I believe my success in being elected in 15 elections over 35 years should demonstrate my constituents' belief in my integrity.

My experience as a member of the Canada pension plan review tribunal and as a member of the rural economic development program review panel should be beneficial in performing my duties as a member of the Alcohol and Gaming Commission of Ontario.

Thank you. I'll await your questions.

The Chair: Thank you very much, Mr Johnson. We begin our questions with the government, with Mr Johnson—a different Mr Johnson.

Mr Bert Johnson (Perth-Middlesex): I wanted to congratulate you. I didn't realize it was that many elec-

tions, but I wanted to recognize that. The other thing is that I understand—and I haven't seen it in Hansard—I guess I would call him one of the great orators here, certainly the best orator I have heard. The member for Renfrew, Mr Conway, once referred to you as an angel. I was looking for the halo and the wings. I just wanted to confirm that that's right. It would save me looking it up if you could confirm that.

Mr Jack Johnson: I think, Mr Johnson, I could make reference to that someplace.

The Chair: The question, for the members of the committee who didn't hear it, was, "Are you an angel?"

Mr Jack Johnson: I don't think it was an angel.

Mr Bert Johnson: Certainly a heraldic character, then.

Mr Jack Johnson: The angel has flown away.

Mr Bert Johnson: I wouldn't bother you with it. Suffice it to say that I can continue with the rest of my life and say that I've heard absolutely nothing to contradict it.

Mr Jack Johnson: I found it. The angel has returned. It was in reference to when former parliamentarians of Ontario were invited by the members of the three parties to sit in the gallery two years ago. As we were sitting there, the members of the Legislature took turns making comments about them, paying tribute mostly, and each party made their comments. The dean of the House, from Renfrew—and I'll quote Sean Conway. He looked up in the gallery and he mentioned Lorne Henderson, and then—I'll quote this: "The former member from Wellington-Dufferin-Peel, Jack Johnson, is up there. I've known many sinners in politics. I don't think I ever knew a saint except Jack Johnson. Jack had to be one of the absolute best people who ever came here, and I'm delighted to see him here today."

I'm no angel, but a saint.

Mr Bert Johnson: Close enough. Certainly from that recollection I'll try my darnedest to see if I can't find a relationship between our families.

Mr Chair, I have no other questions.

The Chair: Anything further?

Mr Wood: We'll waive the balance of our time.

The Chair: We now move to the official opposition.

Mr Dwight Duncan (Windsor-St Clair): Let me begin by saying, Mr Johnson, I watched you as a young staffer here, and while I can't attest to your saintliness, I can certainly say you've got a remarkable career and history of public service both here at the Legislature and in your own community. I think you're to be respected for that and the province is grateful for your service.

You are being appointed to a significant body, and I'd like to ask you a couple of questions about that, particularly as they relate to gaming. What are your views on the expansion of casino gaming in the province of Ontario?

Mr Jack Johnson: The expansion of the present—

Mr Duncan: Yes, from the present number of both casinos and charitable casinos.

Mr Jack Johnson: I happened to read an article in the Toronto Star this morning that reflects that the province makes close to \$2 billion a year between them. I'm not sure how much further we have to expand.

Mr Duncan: So you would oppose the expansion of casinos?

Mr Jack Johnson: No, I can't say that, Mr Duncan. I'm not privy to any information pertaining to the needs of the industry or the commission, but my personal feeling is that we have enough gambling facilities in the province, unless there's something I'm missing.

Mr Duncan: In the area of liquor control and liquor control inspectors, there are some counties in the province that have less than two inspectors. Do you feel that's an adequate number? Is there an adequate number of liquor inspectors out there? What are your views about the licensing and the regulation and the policing of liquor-serving establishments in the province?

Mr Jack Johnson: Again, Mr Duncan, I'm not knowledgeable about the results of what they are doing now. I'm not sure if two is enough, but certainly it's something that has to be controlled and looked after.

I have a bit of a difficulty: I realized I was going to be asked questions about these items, and yet I haven't any information that can help me to answer them in a meaningful way. When I met with the chairman of the board for a short spell, I asked him if I could obtain some information, and he said, "At the appropriate time we'll give you all you need. Then you'll come in for a training session." I assume at that point in time I will be made knowledgeable about these different areas, but at the present time I can't give you anything.

Mr Duncan: How did you come to know about the appointment? Did you seek out an appointment, or did the government approach you? How did that happen?

Mr Jack Johnson: I would think that basically I sought it out. When I retired, I stood for council again and was re-elected, and I was appointed to a board, the Canada pension plan review tribunal, for a three-year appointment. I enjoyed it very much and I felt I was quite good at it. It was made up of a doctor or somebody in the medical profession and a lawyer, and I was the third party. In all the hearings we had, we never had anything but unanimous agreement. I felt I contributed a lot toward that, because I was always able to work with people. When that term was up, I was asked if I would be interested in serving on the rural economic development program project review panel. I thought that would be of interest, so I agreed to serve on that. I'm still on that board.

1320

Mr Duncan: I note you were born in Detroit, Michigan. You must be terribly disappointed with the Red Wings this year.

Mr Jack Johnson: I'm sorry?

Mr Duncan: I note you were born in Detroit, Michigan. You must be terribly disappointed in the Red Wings, not to mention the Tigers. I expect they'll come back somewhat.

That'll be all, Mr Chair.

The Chair: I know that the member for Windsor-St Clair is certainly disappointed these days. There's a lot of disappointment to go around, it seems to me. After the first round of the playoffs, there's a lot of disappointment to go around.

Mrs Dombrowsky, you have questions?

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Yes. Good afternoon, Mr Johnson, and thank you for coming.

I live in a part of the province where from time to time I hear from store owners who live in parts of my riding that derive most of their business from seasonal business, from the tourist industry in the summer. They live in areas where there are lakes and a lot of cottages. They sometimes have problems obtaining lottery terminals because of the lack of consistency of sales. Overall, they achieve the expected number of dollar sales. However, from month to month, particularly during the fall and winter months, it can be problematic for them to meet the dollar minimum sales in their places of business. Of course, they encounter problems because the commission is quite rigid in terms of its criteria for assigning such gaming terminals in general stores.

Do you have an opinion in terms of the flexibility that perhaps might and could be exercised so that some of the businesses which do rely on seasonal business might be able to access some of the lottery terminals?

Mr Jack Johnson: I come from a small community. The whole area is small towns. I realize there are quite different problems in rural Ontario than there are in larger cities. The point you make is quite valid. As I've said before, I'm not knowledgeable about some of these regulations, but your comments make eminent good sense. I would wonder why the board or the administration or whoever would make the changes couldn't take into consideration that you have a limited number of months and base it on the monthly rather than on the year.

Mrs Dombrowsky: Certainly it's not the request of the store owners I speak with that they would be expected to sell any fewer dollars over the course of a year, but for them it can be particularly problematic to meet the minimum number of ticket sales in the winter months. So I would like to know if you saw that you might have any kind of role to advocate on this issue.

Mr Jack Johnson: Maybe I'm premature in saying yes, but I would like to say yes. I realize that, for example, in your riding, with the geographical area and the small communities, many businesses fall into this category. Unless there's something I'm missing now, it would seem to me that it should be looked at and that there's no reason at all why a type of reasonable compromise couldn't be reached. I can't say that I can change anything.

Mrs Dombrowsky: No, but you would be prepared to advocate?

Mr Jack Johnson: Certainly.

Mrs Dombrowsky: You certainly can appreciate the issue. In some of the communities, if area residents or seasonal residents are not able to obtain tickets, for example, at the general store, it requires a 20-kilometre drive to the next centre where they could obtain those. So what the shopkeepers tell me is that's business going 20 kilometres down the road for them.

Mr Jack Johnson: For many years I've always had similar problems trying to relate the small communities to what is available in the cities. There are always issues like this that can at least be addressed or discussed and looked at, and unless there's some compelling reason, they quite often can be changed.

The Chair: We now move to the third party: Mr Martin, MPP, Sault Ste Marie.

Mr Tony Martin (Sault Ste Marie): Thank you. It's good to be back. I missed the last session. I heard it was pretty exciting. I read all about it in the newspaper back home and was wishing I'd been here.

The Chair: We certainly did miss you on that occasion, but we did have to carry on.

Mr Martin: The last meeting was during March break. I had commitments to my kids and my family that I couldn't get out of, and so wasn't able to be here for it. But it's good to be here again. I welcome you, Mr Johnson, this afternoon.

Mr Bert Johnson: I welcome you too.

Mr Martin: Jokers everywhere.

You are being considered this afternoon for what I think is a very important appointment for the province, when you consider the amount of activity and money that's spent and generated these days by people on behalf of government in licensed establishments, whether it's gaming, lottery or alcohol. It's phenomenal. There was a report in the paper yesterday that there's something like \$6 billion worth of revenue for government now through gaming of various sorts. So it becomes a very important responsibility for a number of reasons.

In considering your appointment—and I'm sure you considered it quite seriously, given your very impressive track record of public service—what would be the most important thing, in your mind, that you would be called upon to do in terms of this appointment?

Mr Jack Johnson: I'm not sure I understand, Mr Martin.

Mr Martin: When you consider the responsibility and the role of the commission that you're being appointed to, what, in your mind, would be the priority issue or concern at the moment that this commission would be dealing with?

Mr Jack Johnson: What I should be doing?

Mr Martin: No, the commission itself, in your view.

Mr Jack Johnson: The report in the Toronto Star today shows the \$2-billion profit that the province makes on it. They've got some money so that they could look into some of the areas that could be causing concern. Maybe an increased study of the problems of gambling could be one. You have a committee set up. I'm not sure how effective it is. You constantly have to control the

sale of alcohol. You can't just take the profits and let things go. You have to put some back to help to solve some of the problems created by the lotteries and the alcohol.

Mr Martin: Do you think there are significant numbers of problems created by the overwhelming presence now of gaming and gaming opportunity in the province?

Mr Jack Johnson: There certainly are always problems related to gambling. There have been for centuries. It will never go away. We certainly shouldn't be encouraging people to spend their money on gambling when there are so many other things that they need. Unfortunately, some of the less affluent people are the ones who suffer the most.

Mr Martin: Is there any training or experience in your own background that would make you particularly appropriate for this appointment, given those concerns?

Mr Jack Johnson: I think the main factor would be my many years of service with the public. I've been constantly in touch with people who have had problems in all facets of society. I feel that I'm very concerned with helping to solve those problems; I always have been. It's one reason that I enjoy working. I've always worked with people all my life. I'm not mechanical by nature, and I'm not interested in gardens and things. People have always been what I've worked with, the boards I've sat on and committees and councils, so their concerns and their problems have to be basic to my way of life. I've always tried to help them, in whatever way it is.

On the school board, they would have children who need help. In fact, in the last few years I've even served breakfast in the school breakfast program. Little children come who've had nothing to eat. Some of them would eat three, four or five pieces of toast. They're eating their lunch, as well as their breakfast. This bothers me.

1330

Mr Martin: Certainly problem gambling is a problem. There are other problems that are now starting to crop up across the province. I have a charity casino in my own community of Sault Ste Marie, and that, combined with the aggressive nature of the lottery corporation in doing what it has been mandated to do, which is to introduce new gaming opportunities and raise money for government, is also, because of that, killing or hurting in significant ways the ability of many other charitable organizations in my community and, I dare say, across the province to actually raise money in the usual, traditional way that they've raised money for their events.

I know that the money that's collected through this commission is, for the most part, put into general revenues, and then some of it is distributed through Trillium grants that go back out into communities. Some of the communities, like my own, get a 5% cut of any profit that's realized. But there are many other organizations, like the Legion, for example, or, in my own community, the Marconi that for years ran bingos and had raffles of various sorts that are finding now that the competition is fierce for that scarce dollar, that dis-

posable money that was available previously to the charitable sector for fundraising and games of chance etc. It just isn't there any more.

The other thing that's happening that I think this commission could speak to if it really wanted to and if it wanted to carry out a study is the application now of the rules and regulations where gaming is concerned outside of the casino for Legions, Elks clubs, the Eagles and that. They're finding it more and more difficult to get a licence. They're finding it more and more difficult to cover administrative costs for themselves from the money that's generated through the running of a bingo or a raffle of some sort. They're finding their ability to spend that money on their charitable objectives now being challenged more and more by the authorities. Is that an experience of yours in the community you come from? Is there anything you could bring to shed some light on that or perhaps that we could do—maybe you, if you get appointed today as a new commissioner, and me, concerned about my community—to change that circumstance?

Mr Jack Johnson: I'm not sure, Mr Chair, if I should mention this or not; it might be a conflict of interest. But the very point that has been raised is one that was raised at home. I'm a member of the Lions Club and work in their bingo. Actually, I sell Nevada tickets; maybe I won't be permitted to any longer. I'm not fussy on the bingo, but I sell tickets. One of the members who looks after them mentioned the problem they're having with the commission. They have to pay so much for a licence. The licence expires. Because of the bad weather these last three or four months, their sales haven't been up, so they've got five boxes of tickets that they've paid X number of dollars for that they can't use unless they get an extension. The licence has run out and they have to reorder the licence. So they're going to contact the board. I didn't mention I had any involvement, but it is a problem and it's something that should be brought to the attention of the commission or whoever. If changes are needed, they certainly should be made, unless there's something that again I'm not familiar with. So on the point you raised, I agree with you.

Mr Martin: I would encourage you to bring that experience to the board, if you get the all-clear today, because the sense I have is that the folks operating at that level now don't seem to be connected to the real, everyday trials and tribulations of charitable organizations now trying to get licences, trying to run their operations and pay for their overhead costs, and then actually being allowed to spend the money on the things they're chartered to do by way of their charitable objects with the federal government. It's a terrible difficulty, to be honest with you. There are a number of organizations in my own community that are considering just folding their tents and saying, "We're not going to do the things we used to do; we can't afford it."

Mr Jack Johnson: Well, Mr Martin, maybe again I'm speaking out of turn, but my feeling would be that if I sat on this board and things of the nature you mentioned

were brought to my attention, it would be remiss of me not to bring them to the attention of the board. I feel that if service clubs maybe jointly made presentations saying they have problems—or the Legion; whoever runs the bingos. If it was brought to the attention of the board, to the members of Parliament, and they were to see—if it was brought together and looked at, there's no reason that common sense couldn't prevail and changes couldn't be made.

I sat here so long, and when a rule is made, when a law is drafted, it's sometimes possible to change it. One of the lawyers sitting in one of the committees I was at one time said there isn't a piece of legislation drafted that shouldn't have changes made to it before the ink is dry.

Mr Martin: The sense we have in our community is that there's somebody orchestrating this such that more and more of the disposable income available to charities and games of chance that small operations run is being driven into the casinos and the bigger lottery operations, so the communities are losing. You know, you never get back what you lose, and the volunteer effort that is what creates community in the first place is disappearing. The Marconi club, which runs a fabulous Italian festival and soccer tournament for children every summer, said to me two weeks ago, "We're not going to do it. The rules and regulations are so tight now and so stringent that we just can't be bothered. We can't work our way through it." It has to be changed.

The other thing I find in my community, if I have a couple more minutes, Mr Chair, is that there is also an overwhelming oversight in the area of some of the small bars and corner pubs in my community, where the Alcohol and Gaming Commission is almost like a SWAT team, Gestapo, coming in and setting people up to actually break the rules and then charging them, with really no provision to appeal before they get a summons to close down for a number of days or whatever.

I know at one time Minister Runciman spoke of organized crime in the province, to get a grip on it and erase it. But the sense we have in our community—and I've had meetings with lots of my small business community who run pubs and bars, most of them family people trying to make a living, providing employment for a lot of people, generating some tax revenue for government and providing an opportunity for the community as well to do other things. They as well are finding that they're forever under the thumb, not knowing who is looking over their shoulder or who is sitting at the back of the pub watching. Entrapment by some of the officers who work under the direction of the commission is now sort of almost the order of the day. Is that something that goes on in your community?

Mr Jack Johnson: No. I can honestly say that in my many years of experience I have never had any connection whatsoever with any entrapment pertaining to the police. We have 30 or 40 OPP officers in my hometown, and they have an excellent relationship.

The Chair: You won't believe this, Mr Martin, but that concludes your time. I know it was just getting

interesting for you, and I'm always the ogre who has to intervene and say the time is up, and I have to say that at this time.

Mr Johnson, thank you very much for being with us today. You may step down now, sir, and we'll move to our next intended appointee.

1340

DIANE MAVRINAC-ROSS

Review of intended appointment, selected by official opposition party: Diane Mavrinac-Ross, intended appointee as member, Metropolitan Toronto Convention Centre Corp board of directors.

The Chair: Our next intended appointee is Diane Mavrinac-Ross, an intended appointee as a member of the Metropolitan Toronto Convention Centre Corp board of directors. You may come forward. I know you are aware that you have an opportunity to make an initial statement, and then questions will subsequently come from members of the committee, should they choose to do so. Welcome to the committee once again.

Ms Diane Mavrinac-Ross: Thank you very much and good afternoon.

The Chair: It's all yours.

Ms Mavrinac-Ross: Thank you. I would like to make some opening remarks.

Mr Chairman, I would like to begin by thanking you and your committee for providing me with the opportunity to address you this afternoon. I appreciate your interest in my proposed appointment to the Metro Toronto Convention Centre Corp board. I would like to begin by stating that it is an honour to be nominated for a directorship on the board, and I welcome the opportunity to serve the city and province in this capacity.

I understand that you've been given a copy of my resumé. In addition, I would like to provide you with additional background information and to highlight my qualifications.

I had the good fortune to be born and raised in the mining community of Kirkland Lake, in northeastern Ontario. During my youth, Kirkland Lake was a vibrant town where my family enjoyed success in the hospitality industry for 40 years. My father, Joe, started in the hotel business with my grandfather, and he eventually went on to own a hotel with a restaurant and catering operation. The underpinning of my family's success was our commitment to quality and the emphasis on personal service.

While in high school and university, I worked in the family business. Years later, I feel I received no better training. I learned to deal with the public and to appreciate the importance of customer service, the very basis of the hospitality industry. An understanding and application of these core values is required whether running a small, family-owned business or the largest convention facility in the country.

Also, growing up in Kirkland Lake provided me with a lifelong commitment to community service. My family, in particular my father, was very active in the com-

munity. I don't remember a time when we were not supporting community events and projects. The common thread was always to promote the town and to improve its services and facilities. For example, my father took a leadership role in building the home for the aged, the community complex that has recently been renamed in his honour, and the museum of northern history.

When I moved to Toronto, I continued to serve the community in a modest way. I have done volunteer work throughout my life, running an arts and crafts program for disadvantaged children while in university, volunteering as a Big Sister for the children's aid society and canvassing for the arthritis society. When my children were younger, I did extensive volunteer work at their school. Recently, my husband and I initiated a leadership donation to the Baycrest Centre for Geriatric Care to fund Alzheimer's research on behalf of his parents.

Now that my children are older, I have the time and commitment to serve in another capacity. As a director of the Metro Toronto Convention Centre, I feel I would have the opportunity to make a contribution to both the city and the province. As the largest convention facility in the country, the MTCC takes a leadership role in promoting tourism in Toronto and the rest of the province. I believe that my background, experience and interests prepare me to make a real and positive contribution.

Additionally, an important aspect of running any large facility is efficient and cost-effective property management. My husband, Jeffery, operates his family's, as well as his own, property management firm, overseeing the management of their residential and commercial holdings. Through my husband, I have acquired considerable knowledge of day-to-day property management and ongoing maintenance issues, as well as long-range planning for capital improvements.

Lastly, should I be appointed, another perspective I would bring to the position is that of a convention facility client. From 1996 to 2002, I served on the Ontario PC Party convention planning committees, with responsibility for much of the programming. As a result, I have a detailed knowledge of the facility, layout and services of the Metro Toronto Convention Centre, as well as the other convention centres in the province—London, Hamilton and Ottawa. This has enabled me to compare and contrast the large convention centres across the province, as well as providing me with a working knowledge of the Metro Toronto Convention Centre. Based on personal experience, I feel there is no better convention facility than the MTCC.

I would like to close by restating that I'm honoured by this nomination and I believe I can make a positive contribution. The Metro Toronto Convention Centre, along with the tourism industry in the city and the province, is currently faced with unprecedented challenges due to the war in Iraq and SARS. I welcome this challenging opportunity. I have the time, the commitment to community service and the related background experience to serve as a director.

The Chair: Thank you very much. We will begin our questioning with the official opposition.

Mr Duncan: Thank you for attending today, Ms Mavrinac-Ross.

Do you know what the asset value of the convention centre is right now?

Ms Mavrinac-Ross: No, I couldn't answer that question.

Mr Duncan: Do you know what the deficit of the facility was last year?

Ms Mavrinac-Ross: I don't know what the deficit is, but I know it is operating at a deficit and one of the challenges facing the facility is to increase revenues.

Mr Duncan: The asset value, according to the public accounts, is approximately \$158 million. The deficit last year was approximately \$2 million. There are no convention centres in the country—in fact, in North America—that make money. How would you propose to run it more efficiently?

Ms Mavrinac-Ross: Thank you for that question. One challenge that faces not only the Metro Toronto Convention Centre but the tourism industry in Toronto has been a slight but steady decline in tourism. It's a question of working collaboratively with Tourism Toronto and the Ontario Tourism Partnership team to develop tourism strategies.

The other way to look at it is in terms of costs, property management costs, and looking for efficiencies. I know that the current board is committed to doing so and that these are very real issues before them.

Mr Duncan: It's been suggested to me by officials in the industry that you are wrong about that. In fact you don't need to be looking for efficiencies in the day-to-day operation; you need to be investing more, particularly in light of what's going on in terms of the broader convention business. There is also a fear in this community, as I understand it, that Toronto has actually been losing ground in terms of tourism and convention business even before the most recent problems.

You indicated your experience running your family's hotel business in Kirkland Lake. Was there a convention centre attached to that? What size of business was it?

Ms Mavrinac-Ross: It was a typical small business in a small town in northern Ontario. But in point of fact, for those of you familiar with small-town businesses, it was more than just a motel. With the catering operation, the business extended to communities in that part of north-eastern Ontario. So it was conventions, government meetings, social functions, weddings—it was the full gamut.

Mr Duncan: You indicated your position as first vice-president of the Ontario PC Party between 2000 and 2002 and fifth vice-president of the Ontario PC Party from 1998 to 2000. I guess you were the Toronto regional vice-president of the PC Party from 1996 to 1998. You've served in a local capacity from 1982 to the present.

You indicated that as a Tory and as a customer you felt you had a good understanding of the business. How many convention days were actually booked in that period of time?

Ms Mavrinac-Ross: In my time on the party executive we had conventions in London and Hamilton and two in Toronto, and then the leadership. While I wasn't involved in organizing the leadership convention, I certainly was involved in organizing two of our conventions at that facility.

Mr Duncan: So less than 10 days in total?

Ms Mavrinac-Ross: With all due respect, if you've ever been involved in planning a convention, it requires more than 10 days.

Mr Duncan: I understand that. I've been involved. It's just a question of whether being a customer entitles—I mean, I buy my car from the Ford Motor Co. That doesn't qualify me to be on their board of directors.

The next question I have is, how did you find out about the appointment?

Ms Mavrinac-Ross: I decided in the New Year that I had the time to serve in some capacity, so I went to the public appointments Web site and reviewed the agencies and boards that were available. I focused on a few I was interested in and forwarded my resumé.

Mr Duncan: To whom did you forward your resumé?

Ms Mavrinac-Ross: To the public appointments office.

Mr Duncan: And you spoke to no members of Parliament or no people within the government about this appointment?

1350

Ms Mavrinac-Ross: No. Actually, it was self-initiated.

Mr Duncan: Did you speak to anybody subsequent to self-initiating?

Ms Mavrinac-Ross: No.

Mr Duncan: Who informed you of your appointment—your proposed appointment?

Ms Mavrinac-Ross: Catherine Mustard, in the appointments office. It's not my appointment; it's my proposed appointment.

Mr Duncan: I think I indicated proposed appointment.

Have you any work experience in the convention and visitors' bureau, area conventions or tourism, subsequent to when you worked in the family business in Kirkland Lake?

Ms Mavrinac-Ross: No, I do not.

Mr Duncan: That ended 20 to 30 years ago?

Ms Mavrinac-Ross: Yes, approximately.

Mr Duncan: That will be all, Mr Chair.

The Chair: Any further questioning? Mrs Dombrowsky.

Mrs Dombrowsky: No, thanks.

The Chair: None. OK. Then we move to the third party.

Mr Martin: Good afternoon.

Ms Mavrinac-Ross: Hello, Mr Martin.

Mr Martin: It's always good to see somebody who has some knowledge and experience of northern Ontario being appointed to some board or commission.

Ms Mavrinac-Ross: Thank you.

Mr Martin: I note with some pleasure, actually, your upfrontness in terms of your political affiliation. Oftentimes when people come before this committee it's like prying teeth to try to find out what a person's political affiliation is, particularly if it's a member of the Conservative Party. You've obviously got some significant affiliation, involvement and experience there. What role do you feel that background played in your being offered this appointment we're considering here today?

Ms Mavrinac-Ross: That's a fair question. I would say the fact that I was involved politically, I was aware of the public appointments process and, as I mentioned earlier, it was self-initiated and I forwarded my resumé. I would suspect that my name was recognized, but I don't think that it was what necessarily tipped the scales to bring me before you today.

Mr Martin: There was some reference in earlier questioning as to your background or experience in the convention centre business. You yourself had mentioned the tremendous challenge that confronts Toronto at the moment because of the war and SARS. Do you have any particular recommendations or suggestions or things you will bring to the table that will be helpful in front of that?

Ms Mavrinac-Ross: Well, clearly we're in an unprecedented situation. These are untested waters, and it isn't for me as an individual to sit here and come up with suggestions. It will take the participation of all three levels of government in partnership with the private sector to solve this problem. We are currently faced with the World Health Organization's pronouncement today. We have to win the war on SARS and then go forward to revitalize the tourism industry in Toronto. This will be a collaborative effort. We are, as I say, heading into uncharted waters, and the challenges are immense. The Metro Toronto Convention Centre, while a key player, is a player in a very diverse industry in the city.

Mr Martin: If you find in your role, if you're approved today as the director of this corporation, that in fact it was some shortcoming or some lack of effort by the provincial government, to which you have some affiliation and connection and relationship, that there's some fault there—for example, there are some who will suggest that the way dollars have been spent on public health over the last few years and the thinness of that resource has now led to our not being able to respond in an aggressive and effective way in the actual stopping of this. If you find out, in your role as a member of this board, that in fact the government itself is getting in the way or is a cause, will you be able to disconnect from your obvious political leaning and be actually critical and challenging of the government to do whatever is required to position Toronto to again be a leader in the tourism industry?

Ms Mavrinac-Ross: Well, I don't foresee that that would be an issue. Public health officials are currently doing just an excellent job with this crisis. We have to wait until we have a handle on the situation before we can go forward with any revitalization efforts. I don't see that this is an opportunity to blame the government. This

is unprecedented. From my personal observation, public health officials in this province are doing an outstanding job. That's how I feel. I don't think there would be a conflict, as a director of the Metro Toronto Convention Centre board, to criticize the government for its handling of the SARS situation.

Mr Martin: Let me maybe frame it differently, then. I also believe that the public health officials out there are doing an outstanding job, but with limited resources. If this government had chosen different priorities over the last five or seven years while it has had power, instead of giving money away by way of tax breaks to those who are not really in need of it, and had spent that money on a strong public health sector which, for example, would have prevented Walkerton and now perhaps could be more aggressively involved in the SARS situation—the people in the trenches are doing a great job, but we're still not winning the war here.

You yourself suggested that today the World Health Organization has now red-flagged Toronto as a place not to go to. I wouldn't suggest that's anything you could refer to as excellent in terms of dealing with the ultimate long-term end game here, which is to stop this and get a handle on it. If it became obvious to you in your role as a member of this corporation that a lack of investment, support or interest by the government was causing some of the difficulty, would you be able and willing to be critical, challenging and honest in front of that?

Ms Mavrinac-Ross: By nature I am, but I don't foresee that that will be an issue.

Mr Martin: OK, thank you very much.

The Chair: We move to the government. We have Mr Mazzilli.

Mr Frank Mazzilli (London-Fanshawe): Thank you very much for attending. I don't know what it is with the last name, but your father somehow landed in the same seat you're in a while back. Certainly he's very proud of his family. I spoke to him when he was here and at some other events.

You had some very difficult questions posed to you that can be answered in many different ways, quite frankly. Mr Duncan asked about the value of the convention centre. I tried to find these things out myself when I was parliamentary assistant to the Minister of Tourism. Try getting a value on convention centres that are built on leased land. Good luck trying to get any value. No one can come up with one because of the leased-land arrangement.

The other thing we often see with these convention centres is the reporting mechanism of the bottom line: never knowing where the capital money comes from or how that's reported. So the difference between Toronto, London, Ottawa and the many others really depends on where the money for improvements comes from—does it come from general revenues or the provincial government?—all of that and how it's reported.

I think these are things to keep in mind when you are appointed—everyone's going to have a different opinion of how well the centre is doing or not doing—and see

where the money really comes from and where it goes out.

I would say that Toronto does have challenges. The one thing we heard from the hotel sector is that a lot of the Toronto business is business travel, in fact, and not really tourism. Some of the tourism sector stays out in Mississauga. Obviously, hotel rooms are a little bit cheaper in some of the outlying areas. So Toronto's challenge is going to have to be to bring back business travel. It has to focus on that, because a lot of the tourism, families travelling—quite frankly, some of the hotel rooms and so on in Toronto are too expensive for a lot of people to afford. So the priorities on promotion and so on between the outlying areas like London and Toronto are very much different. I suspect now there's some competition among the different cities for some of these conventions. Not long ago, London did not have a convention centre, so you had to come to Toronto or Hamilton to book a good-sized convention. Now there's more choice out there. Everyone knows that it's a lucrative business. It's good for their communities.

I just want to say that I think you have your work cut out for you.

1400

Ms Mavrinac-Ross: I would agree with you. Thank you, Mr Mazzilli.

The Chair: Thank you very much, Mr Mazzilli.

Any further questions?

Mr Wood: We'll waive the balance of our time.

The Chair: The balance of the time is waived by the government caucus.

Thank you very much, Ms Mavrinac-Ross. You may step down now.

Ms Mavrinac-Ross: Thank you very much.

The Chair: I'm going to depart from the chair for the next one because it is the intended appointee as member, Environmental Review Tribunal. I think members of the committee know I have an interest in that. So with your indulgence, I will ask the member for Windsor-St Clair.

DONALD MARTYN

Review of intended appointment, selected by official opposition party: Donald Martyn, intended appointee as member, Environmental Review Tribunal.

The Acting Chair (Mr Dwight Duncan): I'll call Mr Donald Martyn, intended appointee as member of the Environmental Review Tribunal. Mr Martyn, you can make an opening statement.

Mr Donald Martyn: Good afternoon, Mr Chairman. Thank you very much for affording me the opportunity of coming before your committee this afternoon. As many of you can see from my background, which I believe you have a copy of, I have a considerable interest in public service in this province and have been long involved in the affairs of Queen's Park and the programs of the government of Ontario.

By way of brief introduction, I was born in Toronto and brought up in both Toronto and Sutton, Ontario,

which is in York region. I was educated in schools in Toronto and received my honours BA and MA from the University of Toronto and completed my doctoral course work at the University of Toronto before I went into public service.

My experience began with teaching. I taught for the Toronto Board of Education and for remedial English programs for ESL, the beginning of the ESL program, which I later had some responsibility for when I was in government. I taught at the University of Toronto and at York University at night school while I was working for the government of Ontario. I became executive assistant to the Premier of Ontario and served in that office for four years, which enabled me to have a broad experience as a senior public servant ranging across the entire government mandate. The advantage then was that it was a much smaller government. We only had five professional staff in the Premier's office, two of whom were in the Cabinet Office. One was a speech writer and—

Mr James J. Bradley (St Catharines): That's a long time ago.

Mr Martyn: It was a simpler day. So there was an opportunity to learn about the government, how it worked, and to have some input into policy development.

When my Premier retired, I went into the civil service and had a senior position with COMSOC—the beginning of a very enjoyable four years. I ended up supervising 400-plus staff, so I had a significant administrative role. We had offices throughout Ontario, which afforded me additional opportunity, after the years in the Premier's office, to travel the province and to know and understand its communities. I do believe there isn't a community of more than 2,500 in population that I have not visited at some time over the past several years.

In this role at COMSOC, I had some opportunity to administer several statutes and regulations, I had a program development role, and I participated in new statute and regulatory drafting with departmental lawyers and of course with the committee of the Legislature responsible for drafting statutory and regulatory changes. This involved the entire range of that division's activities, and we were able to develop significant new programs in the area of multiculturalism policy, refugee reception for problems that had occurred outside the country, teaching of English as a second language, and the development of the community information program, which was the libraries across the province—the community development program for communities that needed some opportunity to take charge of their own communities' affairs and articulate common positions.

We also were able to ultimately develop the Ontario lottery program, which stopped the flow of funds to hospitals in Ireland and provided funds for the people of this province for things such as art galleries and sports and recreational programs—and not least was the opportunity to make a substantial contribution to the consolidated revenue fund. I think some of you will appreciate that at that time that was known as ostensible dedication.

Following my years at COMSOC, I left the government and went into a consulting practice that primarily looked at government programs, and I worked with various governments—municipal, regional, provincial and federal—over the course of a number of years. Of interest to this committee was the development of the technology program in the early 1980s, during the horrific recession we had. This involved embarking upon on a \$250-million program over five years with technology centres located in the north, in the southwest peninsula, and in St Catharines, Sudbury and Ottawa. Among other things, it was the beginning of Silicone Valley in Ottawa and the manufacturing muscle of the tri-city area in the Cambridge area. This involved creating the business plans for these technology centres and the initial staffing of them—setting up boards of directors etc.

I was also involved in such other areas as agricultural conferences, strategic planning, zero-base budgeting etc. We did a number of things with the federal government with regard to free trade, a very important issue for the province of Ontario, its workers and its industries; and some not-so-much-fun things like teaching boards of trade and so on how to deal with the GST and so on.

With regard to my private activities, I've had considerable experience in agriculture. I mentioned Sutton—I've run a farm for some time, doing some cash crop and some livestock in the earlier period. I've been a member of the Ontario Federation of Agriculture and the York soil improvement association. As most of you know, farming is managing, or at least coping with, your environment. I also participated in a Latin American-Team Canada ag trade mission with Minister Vanelief in 1998. It was absolutely striking, the difference, the environment backwardness of agricultural practices in places such as Chile. You might want to reconsider your next purchase of Chilean red wine.

1410

In the community, I've had some experience which reflects on the mandate of this tribunal. As I think I mentioned, teaching is an experience which allows you to learn, to assess, to listen and to adjudicate. To run a committee of adjustment in the town of Georgina in York region for four years gave me ample opportunity to understand the problems of conflicting points of view and the need to develop a consensus that was acceptable to all. I was a member of the planning board for the town of Georgina. I was, for four years, the planning and finance chair of the Lake Simcoe Region Conservation Authority, in which period we expanded the authority's participation to municipalities further up the lake. It's just about, at this date today, to completely encompass the shores of Lake Simcoe—an extremely important water area in the Toronto area. It dealt with rain issues; it dealt with runoff of manure, for instance, from duck farms on the moraine, which flowed both north and south from the moraine; the problems of the Holland Marsh farmers and their intense efforts to get three crops per year, to enable the city of Toronto to be fed, but by so doing they

contaminated water in the Holland River—and this of course flowed into the system of Lake Simcoe, which has a sports fishery. I was also, for a period, an executive director of the Toronto waterfront council, for three years, which dealt with the problems of the harbour cleanup and had a variety of individuals, including the royal commission on the waterfront.

Through this experience, we all here have an appreciation and a wish to contribute to public service. The fact that we're all here means that we want to make Ontario a better place. I believe very strongly in that. I believe in public service. I believe what we're all doing is part of a process that's extremely important. I also believe that there's something reassuring about governing by the rules. The Legislature, on behalf of the people of Ontario, makes the rules; the ministry applies them; quasi-judicial bodies such as the Environmental Review Tribunal make an independent and important review of decisions of ministry directors and provide a fair and unbiased public hearing process to assess the merits of projects that will have an impact on the environment.

The environmental statutes which are the subject matter of the ERT are important to all Ontarians. The decisions of the Environmental Review Tribunal must reflect a serious and intelligent understanding and support for principles that are environmentally significant. I want to assure members of the committee today that I will uphold the protections contained in the legislation for the benefit of us all. I believe that sound environmental principles are fundamental to the health of the people of Ontario. This is our public interest mandate.

The Acting-Chair: Thank you, Mr Martyn. We'll begin the questioning with the NDP this time. You have up to 10 minutes.

Mr Martin: Your appointment is a full-time vice-chair position.

Mr Martyn: Yes, sir.

Mr Martin: Do you have any idea what that pays?

Mr Martyn: I don't know exactly. I suspect it will be not enough.

Mr Martin: It's a civil service salary.

Mr Martyn: Yes. It's probably an executive 3.

Mr Martin: Will we be reading your name in the paper next year, as one of those folks who make over \$100,000?

Mr Martyn: No. Mr Robarts used to quite take delight in putting those on the front page of the Globe, all his salaries. Salaries at that time were \$15,000.

Mr Martin: Are you a member of the Progressive Conservative Party?

Mr Martyn: I certainly worked for the Conservative Premier. The answer is yes.

Mr Martin: I find it strange—one of the comments I made the last time I was here, and it was quite a while ago, was that we had at least two full sessions of the committee where we didn't have anybody before us except Conservatives being appointed. Then, I believe last week some of the excitement was some comment by somebody relatively new who was here also noting that

we had a full slate of Progressive Conservatives being appointed last week; then we had Mr Tilson given a year-less-a-day appointment I guess a week or two before that; and now, today, we have had so far three full-fledged, bona fide Progressive Conservatives before us. I guess this will continue, to some degree. Not that it should in any way diminish the qualification of some of the folks before us, because we've all, I think, at some point or other approved of appointments of people of various political stripes. It's just passing strange that that's all we get coming before the committee these days.

We have some really serious challenges confronting the province at the moment in the area of the environment, and particularly in the area of how we protect our water, and some of what's happening out there in light of that. For example, it wasn't that long ago that there was a report that I believe the Minister of the Environment—I could have this wrong; maybe Mr Bradley would know, and he could get to it when it's his turn. There was a licence given to take water from a river in a small community in the province that flew in the face of recommendations by all of the responsible bodies and organizations overseeing that. If that in fact became a regular habit, what would your position be as a member of this tribunal in front of that kind of behaviour, given the concern, particularly since Walkerton, that exists in the province at the moment?

Mr Martyn: Water is fundamental to us all and it's extremely important that we be absolutely vigilant in everything we do with regard to the use of water. I don't think any of us would be appreciative of efforts to bulk-export water, but we also have to know that water has multi purposes, including what we ourselves need. I think the ministry is approached with thousands of permit requests per year. There's a complexity of individual circumstances as to where the water is to be drawn. Each watershed is different. Individual circumstances apply, whether they be industry or communities or even golf courses; certainly agriculture. And you must ensure that there be a balance and a protection of all interests.

I suppose in the issue of water permits, it is almost impossible—it's certainly difficult—to come up with one-size-fits-all. I would like to know a great deal more about the issue than I do now. That's just based on my general knowledge. But in this and many other issues, it's not the tribunal that makes the rules; it's the Legislature that makes the rules.

Mr Martin: Yes, and I guess it's important for us to know, in coming to the tribunal and being appointed to the tribunal, what your leaning or attitude would be in some of these matters.

I was at a meeting a week ago Saturday in Elliot Lake, where the Algoma District Municipal Association got together. They were looking at the challenge of water: protecting water at source, distributing water and then managing waste water. The presentation that was made, given the desire of government and the public to make sure we don't have another Walkerton—it's going to be very expensive. The new technology, the regulations, the

standards that are being set are quite high, and all for good reason. The discussion that took place after that was, "How do municipalities now actually deliver on this requirement?" There was some suggestion that, just as in the case of Hydro, we may be heading down a road to privatize the management of source water, the distribution of water and the management of waste water. What would your position be on that?

1420

Mr Martyn: I think the legislation gives the mandate to the Ministry of the Environment to supervise this area, as a primary mandate. I think personal opinions I might have would have to be better informed than they are at the moment. I think the role of the tribunal is not to make uninformed decisions; I think it's to evaluate appeals over actions of directors of the Ministry of the Environment, which I think is the proper way for this to be done.

I think the educational role of environmental issues is important to everyone: to members of the Legislature, to members of the staff of the ministry and to members of the public. I think everything that could be done by the tribunal members by way of public information sessions, by clear and cogent writing of decisions—these are efforts to inform and improve the public's knowledge, which should be one of our public interest mandates.

Mr Martin: OK. The information that was prepared for us for today indicates that the Environmental Assessment Act "applies only to public sector undertakings. However, the minister retains the statutory discretion to exempt any public sector project from the requirement of undergoing an environmental assessment.... In addition," environmental assessments "are required of private sector projects at the government's discretion. (For example, many private sector landfill sites are covered under the regulations)."

The Acting Chair: Mr Martin, you have one minute left.

Mr Martin: OK. It has been argued by many folks that "the act should be amended to make EAs mandatory for all environmentally significant projects, regardless of whether they are proposed by a public sector agency or a private sector firm." What would your thoughts on that issue be?

Mr Martyn: Well, it's the responsibility of the Environmental Review Tribunal to conduct all hearings about environmental assessments that are sent to it. The Environmental Review Tribunal must be careful to make no prejudgments. If all, or even more, environmental assessments are to be heard by the Environmental Review Tribunal, that's clearly a decision for the Legislature.

The Acting Chair: Time's up, Mr Martin. The government has no time left; the proponent took 11 minutes. I'll turn it over to the official opposition. Mr Bradley.

Mr Bradley: I first want to note with great interest the fact that when you were the executive assistant to Premier Robarts, the Progressive Conservative Premier of a number of years ago, there were fewer than 10 people in the Premier's office. Today there's a virtual

army of advisers and whiz kids and so on in that office. So you can certainly hearken back to the good old days, probably when members of the caucus had much more say than the whiz kids who advise Premiers to hold budgets at major corporate headquarters instead of in the Legislature.

Mr Martyn: You should call for an environmental assessment.

Mr Bradley: I think that's a very good suggestion—some kind of assessment at the very least.

I have to be careful about the questions I'm asking you, because the minister's staff is back there taking copious notes. I know them very well, and they're all great people, nice people, but they'll want to know the questions I'm asking and report them to my friend the minister.

There are two concerns out there amongst political observers—and I'm totally neutral in this regard. But amongst political observers there's a fear that just before a provincial election the government is going to rush through all these patronage appointments of well-known Progressive Conservatives, loyal Progressive Conservatives. I've heard people say that, and you may fit that category.

But I want to go to another concern that is expressed by the environmental community, and that is that the government wants to ensure that its environmental tribunals and other tribunals that might have some influence on the environment have more cautious, small-c conservative people sitting on them than perhaps might be the situation at present, particularly after the situation with Tay River, where the minister felt he had to overrule the tribunal, and the situation where the Minister of Natural Resources overruled the Niagara Escarpment Commission. So there's this fear out there. Would you describe yourself as a cautious, conservative person—I'm not asking for a capital c there; small c—in dealing with environmental issues?

Mr Martyn: I'm not sure quite how to answer that, because throughout my life I've been anything but cautious. If I'd been cautious, I would have stayed in the public service and have retired by now on a fully indexed pension. I think my instinct has always been to try to do the best job I can in any of the myriad interests I've pursued and to try to feel I've done something worthwhile when that is completed. I believe very strongly in public service, Mr Bradley. I believe this is an extraordinarily important board, and I think it's reflected in the fact that you yourself review each and every appointment to it, and your background would indicate an ongoing, lifetime interest in it.

I think the interests I've pursued in my private endeavours both in agriculture and with conservation in the past would indicate that I care about the issues. I think it's extremely important that we attempt to make this a better society because of our efforts rather than any personal point of view that might be deemed to have influenced us. I think an open mind does not mean an ill-informed mind. I think the responsibility here is to

require people who serve on boards such as this to approach issues in an intelligent way and to try to do the best they can to ensure a result that is beneficial to all Ontarians.

Mr Bradley: Does it concern you that the Minister of the Environment, in a very high-profile case, after a long hearing and evidence produced, in fact overturned the ruling of the tribunal based on evidence which was obtained by the minister after the tribunal hearing and therefore evidence that would not have been tried before the tribunal—at least that was partially his reason for doing so—and that the Minister of Natural Resources would have overruled the Niagara Escarpment Commission recommendation on an aggregates issue? Does that concern you, that ministers are now making what most would define as political decisions to overrule tribunals and make decisions which are anti-environmental rather than environmental?

Mr Martyn: Well, I indicated earlier that I believe in the rules, and I believe that you as members of the Legislature set the rules, including the rules that govern the operation of ministries. The Environmental Review Tribunal reports administratively to the Minister of the Environment, and no responsible member of any board likes to have their decisions overturned after weeks of review and work. But as you know as a former minister, certain decisions in this field can be overturned by the cabinet on behalf of the Legislature with regard to facts, or by the courts on issues of law. I think some of the suggestions of the Environmental Commissioner, who is sort of like an independent environmental ombudsman to the Legislature, are useful. I think his suggestion, for instance, about a watershed plan is a good idea, and I endorse the idea. But not every river should be subject to this. It's very costly and it won't happen overnight. But in terms of long-term planning, I would think this sort of work should be part of the ministry's long-term planning to ensure that there's a balance and the development of a useful database.

1430

Mr Bradley: Thank you. I will yield to Mrs Dombrowsky, who has some further detailed questions.

The Acting Chair: You have about three minutes, Mrs Dombrowsky.

Mrs Dombrowsky: Then I will be brief, and hopefully maybe you could make your answers brief. First of all, do you still operate your consulting company?

Mr Martyn: Yes.

Mrs Dombrowsky: You've indicated in your remarks you are a fully indexed pension—

Mr Martyn: No, I'm not.

Mrs Dombrowsky: Oh, I thought that's what I heard you say.

Mr Martyn: If I had stayed in the public service I would be, and I'd be retired. Oh, heavens no. I have no pension from the government of Ontario, absolutely none.

Mrs Dombrowsky: All right, then. OK.

I want to now go to the comments you made with regard to watershed assessments. Are you aware that at

the present time, the Ministry of the Environment does not have the resources to do any kind of cataloguing of permits to take water within watersheds?

Mr Martyn: I wasn't aware of that. I would think that it would be a useful long-term planning tool for the people of Ontario if the ministry had the resources.

Mrs Dombrowsky: The Environmental Commissioner, Mr Miller, would say that that in fact is imperative, that if we as a province are going to continue to issue permits to take water with any kind of responsibility, we should have some sense of what permits to take water are out there already.

You have suggested that it is the Legislature that makes public policy with regard to environmental issues. Are you aware that there was a private member's bill, An Act to amend the Ontario Water Resources Act, the water source protection act, that would have done three things? It would have required the Ministry of the Environment to notify conservation authorities and municipalities of permits to take water in their jurisdictions, and the third thing it would have done was that it would have placed the statement of environmental values that the Ministry of the Environment has in legislation; it would have made it legally binding. You probably read in the background material on the OMYA issue that that was one of the arguments made by the government, that, "Yes, we have a statement of environmental values, but because it's not in legislation, we really don't have to follow it." Do you have an opinion on that?

Mr Martyn: I'm cautious about having an opinion as a member of a tribunal, but I would like to—

Mrs Dombrowsky: You're not there yet. It's important for me if I'm going to support you there.

Mr Martyn: I understand. I would like to think—because I've always thought that words are important, words have value. I think it's important that ministries have environmental statements of value. I think they should form guidance and a benchmark for not only ministry decisions but the activities of the Environmental Commissioner.

Mrs Dombrowsky: But should they have the force of law?

The Acting Chair: Time's up. I apologize. So many questions, so little time. Thank you very much, Mr Martyn.

I will relinquish the chair to its rightful inhabitant.

The Chair: And the cloak of impartiality is now placed on my shoulders.

Thank you very much, sir. You may step down now.

REGINALD STACKHOUSE

Review of intended appointment, selected by official opposition party: Reginald Stackhouse, intended appointee as member, Ontario Human Rights Commission.

The Chair: Our next intended appointee will be an intended appointee as a member of the Ontario Human Rights Commission, Mr Reginald Stackhouse. Mr Stackhouse, you may come forward, sir, if you will,

please. You are welcome to make an initial statement to the committee if you see fit, and then the questions will flow from the committee members if they see fit. Welcome.

Mr Reginald Stackhouse: Thank you very much. Mr Chairman and members of the committee, I will be honoured to serve on the Ontario Human Rights Commission and would like to present some of my qualifications for that appointment.

In my second term as a Progressive Conservative member of Parliament, I was Chair of the House of Commons standing committee on human rights. During that term, our committee published two significant reports. One was Human Rights Behind the Iron Curtain, and the other, Human Rights and Aging in Canada. I was a Canadian delegate to the World Conference of Experts on Human Rights in Ottawa, and a Canadian delegate to the Human Rights Commission of the United Nations in Geneva. As well, I was a member of a parliamentary mission to Ethiopia during the 1985 famine, and the next year served as a Canadian representative to the General Assembly of the United Nations in New York.

In 1988, I toured five Central American republics with the Canadian foreign minister to consult with human rights officials in the governments of those countries. From 1990 to 1993, I was a commissioner of the Canadian Human Rights Commission and spoke on its behalf in a number of cities as well as addressing the International Convention of Human Rights Agencies in Philadelphia in 1992.

Before those parliamentary and federal years, I served on the Scarborough Board of Education for three terms, the Scarborough Public Library Board for one year and was the first chair of the founding board of governors of Centennial College of Applied Arts and Technology, and later a member of the Ontario Council of Regents.

I am now principal emeritus and research professor at Wycliffe College in the University of Toronto and the Toronto School of Theology. In this position I devote myself chiefly to theological research and writing. Currently I'm working on two books that indirectly relate to concerns of the Human Rights Commission. One is Theologies of Wealth and Poverty, which will be a history of thought on those subjects. The other is The Courage to Grow Older.

My wife and I live in Bracebridge and Toronto. We have four adult children and nine grandchildren.

The Chair: Thank you very much, sir. We begin our questioning with the government.

Mr Wood: We'll waive our time.

The Chair: The government has waived its time, so we go to the official opposition. Mrs Dombrowsky.

Mrs Dombrowsky: Good afternoon, Mr Stackhouse. It was very interesting to read the background material that you provided to this committee. You are obviously a very busy man, and you do a lot of writing.

Mr Stackhouse: Yes.

Mrs Dombrowsky: Very good. I have a couple of questions with regard to your interest in this role. I

certainly do appreciate that your past experiences are germane to the area you would be working in. How is it that you have come to be an intended appointee here this afternoon?

Mr Stackhouse: Thank you very much, Mrs Dombrowsky. Did I pronounce that correctly?

Mrs Dombrowsky: Yes, you did.

Mr Stackhouse: I'm always conscious of that because of "Stackhouse." I just spell it out automatically.

Why am I interested in this position? A couple of years ago, the Ontario Human Rights Commission conducted a study and issued a report on age discrimination and aging in general. One of the public statements indicated that the chief commissioner and the commission were very keen on older people having an opportunity for jobs and career development. I thought at the time, "Well, I'll see if they really mean it," and I applied for the Human Rights Commission. That was two years ago, and here I am.

I'd be very glad to do my part, as one of the older people of Ontario, to speak for them and be concerned about them, and also as a resident for more than half the year in a small town, to reflect that as well.

Mrs Dombrowsky: I also noted in your background, along with the fact that you grow prize potatoes, that you live on Lake Muskoka but that you spend the winter in Florida.

1440

Mr Stackhouse: That used to be the case, but we disposed of our property there in 1999. We now have a condo unit in Toronto.

Mrs Dombrowsky: Oh, I see. So your place of residence is Toronto?

Mr Stackhouse: And Bracebridge.

Mrs Dombrowsky: All right, because the address here—

Mr Stackhouse: I'm not as familiar with what you have there, but my address in Toronto is 20 Avoca Avenue, apartment 505; and my address in Bracebridge is Rural Route 4.

Mrs Dombrowsky: So you're suggesting, then, that you don't spend that time in Florida any longer.

Mr Stackhouse: No, not any longer. While I was there, I must say, it wasn't just vacation. I wrote every day and completed, I think it was, two books while we were there.

Mrs Dombrowsky: Mr Stackhouse, when I read that you spent considerable time out of the country, it did raise some questions for me in terms of this appointment, because I'm sure that you read in the background of the caseload of the commission. I would expect that all members of the commission are given a pretty energetic calendar and I'm sure would be expected to carry their fair share of the load. So I think it is important that we have clarified that.

Mr Stackhouse: Thank you.

Mrs Dombrowsky: You've indicated in your remarks, of course, that you are particularly interested in the human rights issue with regard to mandatory retire-

ment. I know that you would be aware as well in this great city that there is another issue of great concern, one that is being written about and that we hear about a great deal in the media, around racial profiling. There are some mixed views on that issue. Do you have any that you would be able to share with us here today on that important issue?

Mr Stackhouse: Ms Dombrowsky, I think what we have to appreciate is that profiling means generalizing. One of the first lessons I learned as a philosophy student a long time ago was that generalizations are generally wrong. Racial profiling involves generalizations about members of any racial group. We ought to be on guard against that, especially when it might be in the hands of people with the power that the police have. Equally, it's important for us not to generalize about the police and to assume that if some are racist, most are. I would hope that examination would show that that is not so. We have, however, to take seriously the allegations, the information found in newspaper reports on this subject. That has been done already, by the response of authorities, and we can look forward next fall to the report of an inquiry by the Ontario Human Rights Commission, not on police profiling, but profiling and racial tensions generally.

So my view there is that in our society, we've already indicated by laws, federal and provincial, and by the establishment of the Canadian Human Rights Commission and the Ontario Human Rights Commission that racial profiling is contrary to the laws, norms and values of the Canadian people and the people of Ontario.

Mrs Dombrowsky: Do you believe it exists?

Mr Stackhouse: Do I believe—

Mrs Dombrowsky: It exists?

Mr Stackhouse: Of course it exists, because we are a human society, and being humans we will have our various faults, and one of them is generalizing about other people: generalizing about old people or generalizing about gender, generalizing about anything, generalizing about politicians. As a former politician, I can testify to that. I think part of our response has to be information rather than generalization. If people know one another, they are less likely to have prejudice and biases about one another. I think it's incumbent upon the authorities, whether the police, the municipality or the province, to carry forward the spirit of the human rights documents, the code, which requires that all employers maintain a poison-free environment. It's not enough for the employer to simply say, "Well, we're not prejudiced." We must do all we can to ensure that the environment in which people live, the environment in which we exercise our daily lives, is free from the kind of discrimination or harassment that many people say they have suffered.

Mrs Dombrowsky: That would conclude my questions. Thank you.

The Chair: We now move to Mr Martin.

Mr Martin: Good afternoon. It's certainly a very busy and interesting career to date, with more to come, I guess.

Mr Stackhouse: Thank you for the last part.

Mr Martin: It's interesting. I note your early years, mostly theology and religious studies, and then you moved very aggressively into money management. How do you do that?

Mr Stackhouse: To give you the full answer, I became principal of the college and ex-officio member of its portfolio committee, and I found that I really didn't understand the discussion that was going on with respect to the college's investment portfolio. I thought I had better educate myself rather than confess ignorance to the trustees who were doing their best for us. I began to take courses in investment finance and got interested. I went from one to another and finally qualified, had I been in the business, to be a fellow of the Canadian Securities Institute and put the letters FCSI after my name, which I don't do, not being in the business.

Later on, when I was off salary and with a quite inadequate pension from the Anglican church, I had to supplement that pension to make a living. One of the ways was doing some financial planning in the Bracebridge area, which I did for five years. I stopped two years ago.

Mr Martin: Is it a challenge balancing theological interest with financial interest?

Mr Stackhouse: Oh, not at all. I have an MA in political economy to start with. That was when I was a very young student. Much of the Bible gives us guidance on financial management, and part of my interest in developing what I hope will be a book on the theologies of wealth and poverty would be indicating how in scriptural teaching and in theological teaching since, various values, positive and negative, on financial management have been clear and have had an influence on the development of our society. Sometimes it has been the other way around; it has been economic change that has impacted on theological thought. My book will try to show that.

Mr Martin: OK. Just a couple of questions, given your theological background. They are issues, actually, that I have to be honest and say I struggle with too, in that I try to blend a bit of my faith with my politics and be balanced in that way if I can.

You've written a couple of pieces, I think, on the issue of abortion.

Mr Stackhouse: Yes.

Mr Martin: It's one that comes up quite regularly. It's one that's debated quite actively out there and is quite an important issue for many people of faith. People of faith come at it from different perspectives and end up with different positions. Given the appointment to the Human Rights Commission that you are seeking here this afternoon, what would your position be on that question?

Mr Stackhouse: The question of abortion isn't regularly on the agenda of the Human Rights Commission, but I'll answer as straightly as I can on abortion itself. My position is that we should not make an absolute out of life, an absolute out of choice, but we have to respect both. I think a woman, first of all, should not be vul-

nerable to imprisonment or other penalties for an abortion. I am not in favour of sending any woman to jail because she wants an abortion, nor am I in favour of putting a doctor or other medical care person under that threat.

Secondly, I think a woman should have the right to choose, especially if it is to protect her health and her life. However, I think we should not close the question just with that. We should want to provide counselling and social and financial assistance to a woman which might enable her to carry forward with a pregnancy, because very often a woman can be threatened by the fact that she is alone, without a spouse, without a family—when I was the minister of a church I found that—and she needs help. Sometimes people are in great financial need, and they're threatened that way, so they think an abortion is the way out.

1450

So I think we should try to get it as far as possible from the context of whether we are sending people to jail or not. We should try to be positive and help women who are confronted by a pregnancy and who feel threatened by it to cope with it if they will make that choice themselves.

I feel that in Canada we have sort of evolved that policy, perhaps without intention. This is one of the few countries in the world which has so very little law on abortion. We seem to be carrying on rather well that way.

Mr Martin: The issue of abortion is very much an issue of women's rights. You have a very healthy background in church activity. The church's history is checkered where women's rights and involvement are concerned. What would your position be in terms of women and their rights and maybe women and the church?

Mr Stackhouse: You're right when you speak about checkered, because the church spans almost two millennia. But if we're talking about recent times, I've had the experience and the privilege of voting to open ordination to women in the Anglican Church. I was the principal of Wycliffe College when it became a co-ed institution. Half of its students now are women. We have women professors as well as men and women trustees. In fact, the last vice-chair of the board of trustees was a woman. So if you go back far enough, yes, the church might have seemed down on women's rights, but so was society in general. In latter days, I think many churches, my own included, have given a lead in respecting the rights of women.

Mr Martin: Just one other question, if I might, on an issue that's obviously very current and pertinent, and the church is certainly playing a role in it as well—I apologize, but that seems to be your background; I'm actually finding your answers quite interesting and helpful—the whole area of gay rights and the right of gay people to marry.

Mr Stackhouse: This is a complex question for lawyers and constitutionalists to work out because of the division of authority between Canada and the provinces

and territories. So in the time allowed perhaps I can just speak in general terms about my own values here.

I think we have to get focused on marriage as an expression of humanity. If I may quote the Book of Common Prayer, it gives two purposes for marriage: one is the procreation of children and the other is the mutual society, help and comfort that the one ought to have of the other in both prosperity and adversity. In a gay marriage, or for two lesbians, procreating children is not possible. But we know that adopting children or providing foster care is a possibility. That is now permitted by law. So that objective can be fulfilled. Second, when we ask about marriage for the mutual society, etc, we should understand marriage is a way many people—most people—adopt as a means of fulfilling themselves as human beings. I respect two gays or two lesbians seeking to find in each other a life together that will enable them to be fully human.

If we look upon being gay or being lesbian as simply a bad moral choice, that conclusion will be questioned. But within the past 20 years, scientific research has shown that homosexuality, to use that term, may not be a choice at all; it is perhaps the result of genetic inheritance and is thus part of a person's nature, part of his or her givenness.

That being the case, we've seen how language has moved from, say, "sexual preference" to "sexual orientation," and that embraces us all. Each of us here in this room has a sexual orientation, and we do not judge one another for that, and I don't judge people if they have a gay or lesbian sexual orientation. I think society—our kind of free and democratic pluralistic society—has to provide an umbrella over all people under which they can find a life of peace, a life in which they can develop.

I respect individuals or faith communities or other societies that are subgroups within our province saying, "No, this is wrong and we want no part of it" etc. We respect that. But the province itself has to provide for everybody, and that's what I hope the law would do.

Mr Martin: Those are all my questions, but I just want to say how much I appreciate your willingness to answer the questions I put before you—they're challenging and difficult questions—and your honesty.

Mr Stackhouse: Thank you.

The Chair: Thank you for being with us, Mr Stackhouse. You may step down now, and we'll move to our next intended appointee. It was very nice to have you with us.

SANDRA McCLEARY

Review of intended appointment, selected by official opposition party: Sandra McCleary, intended appointee as member, Simcoe York District Health Council.

The Chair: Our next intended appointee is Sandra McCleary, intended appointee as member, Simcoe York District Health Council.

Mrs McCleary, you may come forward and take your position in just a moment.

Mr Stackhouse: I'm moving out as fast as I can.

The Chair: Take as much time as you need, Mr Stackhouse. We're on a flexible schedule here.

Mr Stackhouse: Thank you all very much.

The Chair: Welcome to the committee. As you would be aware, you have an opportunity to make an initial statement. Subsequent to that, there are likely to be questions from members of the committee.

Mrs Sandra McCleary: Good afternoon, everyone, and thank you, Mr Chairman, for the opportunity to speak to the committee regarding my intended appointment to the Simcoe York District Health Council. It is an honour to be considered for such a position.

You have received a copy of my resumé, and I would like to take a few minutes to highlight some of my experiences and qualifications.

I have resided with my husband, John, in the town of Newmarket for 35 years, after moving from Toronto. I am the mother of three and grandmother of seven. Two of my children reside in the region of York, as well as seven of my grandchildren.

I started out years ago as a computer programmer, and when my children came along, I was very fortunate to be able to stay home with them. My volunteer experience for many years centred around the activities of my children, being involved in many things, including Girl Guide leader, nursery school president and Scout group committee secretary.

Moving on, I became involved in the church, taking positions of leadership in many organizations, as an elder in the United Church of Canada, president of the United Church Women, unit leader and treasurer of the York Presbytery's Camp Big Canoe.

1500

I have volunteered for 20 years at York County Hospital, now known as Southlake Regional Health Centre. I joined the auxiliary board as treasurer and had to decide where my volunteering interests were going to take me. I decided that the hospital and the auxiliary were going to be my main focus of volunteering.

As I moved through the offices of the auxiliary board, taking many directorships, I learned to work with staff and volunteers as a team player. I attended conventions, region 7 spring conferences, regional meetings and executive workshops, realizing the importance of networking with other volunteers. During my last directorship of the auxiliary board in 2000, the auxiliary made the commitment of \$1 million over a period of five years, to be directed to the new emergency department at Southlake Regional Health Centre. I chaired the 2000 annual tag day fundraiser, which included working with volunteers from the towns of Bradford, Schomberg, Aurora, Keswick, Sutton, Pefferlaw, Mount Albert, Queensville and Sharon. We raised over \$45,000 toward the \$1-million commitment.

As president and vice-president of the auxiliary, I was appointed to the hospital and foundation boards for a four-year term. I sat on the hospital board committee, including finance, and took an active part in the board task force on volunteerism. On the foundation board, I

was a member of the board development committee and was part of a grant review committee for 10 years, first as a volunteer and then as a board member. This committee worked with foundation and hospital board members and staff through an in-depth process to determine what new equipment needed to be purchased and what old equipment needed to be replaced.

During my time on these boards, I could see the changes starting in our health care system. Percentage of day surgeries was increasing, areas of focus were considered and patient-focused care was becoming a reality. I learned that change was becoming an ongoing challenge, and as such should be used as an opportunity to explore new and innovative ways of doing things.

I have worked as an accountant for my husband for the past 15 years in a small practice in Newmarket. I have used my skills to work in many administrative and financial positions with volunteer organizations. In my different positions of leadership, I have learned to listen, read, digest information and make decisions based on fact. I have learned to work with people who have held opinions different than my own.

I do have a strong interest in our health system and the processes that determine the course our health system is taking. Three members of my immediate family work in a health-related field outside Simcoe county and York region.

I have been awarded a life membership in the United Church Women, an honorary life membership of the auxiliary to Southlake Regional Health Centre and a provincial life membership in the Hospital Auxiliaries Association of Ontario, and it was my honour in February 2003 to receive the Queen's Golden Jubilee Medallion.

In preparing for this interview, I spent time reflecting on the changes in our health care system. After reviewing the mandate and goals of the Simcoe York District Health Council, I recognized that this DHC is playing a very important proactive role in the changes of our health care system. I feel that I have been a part of the health care system and would like to participate in its future planning. With my commitment, dedication and ability to work with other volunteers as a team player, I feel that I would be an asset as a member of the Simcoe York District Health Council.

Becoming a new board member in any organization is a time of learning and challenge. I am ready to give the time and commitment and to accept the challenge as a new member to the Simcoe York District Health Council.

I will now answer any questions you may wish to ask me.

The Chair: Thank you very much. We'll begin with the official opposition. Mrs Dombrowsky.

Mrs Dombrowsky: Good afternoon, Mrs McCleary, and thank you for coming. We certainly appreciate your background remarks.

I have a couple of questions for you. What is your understanding of the role of district health councils?

Mrs McCleary: Reading the mandate, which is a directive coming down from the Ministry of Health and

Long-Term Care, we have to help the ministry know the health needs and other health matters of our diverse communities. We also have to carefully look at the allocation of resources—human resources as well as funding. We have to make plans for the development and implementation of a balanced and integrated health care system. We also are to perform other duties as assigned under the act.

Mrs Dombrowsky: I know what's written, but really what did you know about district health councils?

Maybe I should ask this question first: how is it that you have come to be an intended appointee on a district health council?

Mrs McCleary: I was asked by my MP's office if I would let my name stand to be nominated as a member of the health council.

Mrs Dombrowsky: You were asked by your MP or your MPP?

Mrs McCleary: My MPP.

Mrs Dombrowsky: And that would be who?

Mrs McCleary: Julia Munro.

Mrs Dombrowsky: Julia Munro asked you if you would let your name stand to be the provincial appointee. Obviously you're very active in your community. Ms Munro would be familiar with your work in health services.

Mrs McCleary: Yes.

Mrs Dombrowsky: Would she know you because of your political involvement as well?

Mrs McCleary: Not particularly.

Mrs Dombrowsky: Are you a member of the—

Mrs McCleary: I am a member of the PC Party, yes.

Mrs Dombrowsky: Have you worked on campaigns?

Mrs McCleary: Yes.

Mrs Dombrowsky: Did you work on Ms Munro's campaign?

Mrs McCleary: I know I worked on the federal campaign. I'm not too sure whether I did or not, to tell you the truth. I think I probably participated somehow, yes.

Mrs Dombrowsky: And you continue to be a member of the provincial Progressive Conservative Party?

Mrs McCleary: Yes.

Mrs Dombrowsky: Maybe I can then get back to my question around district health councils. When she asked if you would let your name stand, did you know what a district health council was?

Mrs McCleary: Yes. As a member of the hospital board, I was quite aware of what the district health council was. As a member of the hospital board, I did attend one of their meetings, 1983-84, when I was on that board, because I thought it was part of my learning process as a board member to attend one of their meetings.

Mrs Dombrowsky: What I have come to understand in my role as an MPP is that there are many people in my riding who really don't know what district health councils are or what their mandate is, what they do and what they're responsible for. They certainly are familiar with the work of health units. They are familiar with the work

of hospital corporations. But there is not only confusion, there's just a lack of understanding or even a lack of knowledge that district health councils exist. I find that quite perplexing, given the fact that there are some significant dollars put toward district health councils. One of your roles—I don't think I heard you mention this—is to advise the minister on—

Mrs McCleary: That's true, on the needs of our area.

Mrs Dombrowsky: On the particular needs of an area of the province of Ontario. In your particular case it's Simcoe-York. Would that be your sense in your area as well; that there would be many people who really wouldn't know what a district health council is or what its function is?

Mrs McCleary: I would believe so, yes. But I noticed, in reading some of the information that was given to me, that there is a newsletter, *The Link*, and they also have a Web site that people can refer to for more information. But I think a lot of people don't know what is available in the health care system, and as a member, one of the important things is talking about what the district health council is and what it does and promoting the understanding of what it does.

Mrs Dombrowsky: You indicated in your remarks that you spent some time reflecting on the changes in the health care system. I'm sure you spent some time reflecting on health needs within your community. Would you be able today to identify, say, the three most pressing needs in your community?

Mrs McCleary: One of the needs is that there's the increase in population and the growth in age of our population. I think we have to—this is very new for me; excuse me—understand what those needs are. I guess what I want to say is—oh boy. When I was on the health board, I realized that there was a lack of resources.

Mrs Dombrowsky: What kind of resources?

Mrs McCleary: Human resources. It's hard to get doctors and nurses in the outlying areas and this type of thing. I think the area that the district health council involves is a very diverse area. People have to come from long ways. They live in sparsely populated areas. We have to make sure that the resources are available to them, both doctors as well as other resources.

1510

Mrs Dombrowsky: Would you be aware of the situation with regard to home care services in your community?

Mrs McCleary: Yes. We have a very active community care access council that looks after the co-ordination of home services. When a person is discharged from the hospital, right in the hospital is a CCAC representative who works with the person being discharged to make sure they have the support they need, whether it's physio, a dietitian, a nurse coming to visit or everything like that.

Mrs Dombrowsky: Is it your sense that community health care is under pressure in your community?

Mrs McCleary: Of course, with the growing of our population and the needs and I think because of the

shortened length of stays in our hospital and the acuteness of the people when they're there. When they go home, they do need support.

One example comes to mind. We were looking after my granddaughter two years ago. She stayed overnight and was bitten by a cat. We took her to emergency, and they put a shunt in. Four or five years ago, she would have had to stay in the hospital while the drug was being administered. But with the assistance of part of our home care program, she was able to go home. A nurse came to our house once a day and put the drug in. So she was able to go home without staying in the hospital.

Mrs Dombrowsky: Are you familiar with the mental health services that are available within your community?

Mrs McCleary: Not really.

Mrs Dombrowsky: In my role as critic, I hear from mental health agencies. I would suggest that they are under the similar pressures as other health care providers within the community. Just given that you have identified, for example, doctor shortages as an issue in your area, community health practitioners, professionals—there are some critical issues there in your community—as a member or representative on a district health council, what would you think you should be advising the minister to do to address these issues?

Mrs McCleary: To look at our needs. There is a shortage of doctors. My son moved to Keswick—and knowing of people in the area who have tried to get doctors' appointments. There just aren't any doctors to go to. I think that as part of the mandate of the DHC we have to make the ministry aware of this need. It's one of the needs that we have.

Mrs Dombrowsky: The minister—I mean, you advise the minister directly, not just the bureaucrats. You talk to the minister in person. You have a direct line to the minister. So that is very significant. I think that makes district health councils significant as well.

Mrs McCleary: That is part of their role, yes.

Mrs Dombrowsky: But in terms of your advice or your direction to the minister, what would you suggest the minister do in those two particular areas? What do we need to do? Are you aware that in the last budget home care was not mentioned?

Mrs McCleary: No. Sorry. Going on a new board, I know I have a lot to learn. But I have the time and the willingness to learn. I've been doing a lot of reading, and I have a lot to learn. But I'm prepared to learn. So I probably won't be able to answer a lot of your questions. But ask me in two or three months, and I'll be able to answer them.

Mrs Dombrowsky: Do we still have time?

The Chair: You have about 30 seconds.

Mrs Dombrowsky: Then that would conclude my questions.

The Chair: We move to the third party now. Mr Martin, your questions.

Mr Martin: Just in your experience, what does the Simcoe York District Health Council actually do?

Mrs McCleary: It coordinates the areas of Simcoe-York. It partners with community groups to assess what

the needs are. It also is responsible for the disbursement of the funding, whether it's resource or fiscal, in the agencies that they're involved with.

Mr Martin: And is it successful at that?

Mrs McCleary: Well, reading through this again, I've noticed that the funding from 2001 to 2002 has really decreased, so I think they really have to look at the order of priorities within the region and then decide what the priorities are. It's a process that we have to work with with people in the areas that the district health council serves.

Mr Martin: Yes. I just know that in my own area when I first got elected, from 1990 to 1995, it seemed to me I was forever attending meetings of the district health council as we tried to pull together the various providers and interest groups and other community groups to come up with resolutions, solutions, coordination, and move forward recommendations out of the community flowing to the ministry. Then when the district health councils were reduced in number from 33 down to—how many are there now? Seventeen or 18?

Mrs Dombrowsky: Sixteen.

Mr Martin: Sixteen. Our district health council seemed to disappear, because I never get invited to a meeting any more. I don't remember the last time I got any communication from them. To be frank with you, I'm not quite sure what they do. I know they cover a huge area. They cover all of northeastern Ontario. Where we used to have a district health council for Algoma, which was Wawa, Sault Ste Marie over to Elliot Lake, we now have a district health council that covers North Bay, Sudbury, Timmins, Sault Ste Marie and everything in between. It's a massive undertaking even to have a meeting.

I'm wondering what the purpose is any more. Obviously in the more populated areas, if you say it makes decisions about who gets what money, that's probably an important function. It makes recommendations to the minister, and as Mrs Dombrowsky said, if you have a direct link to the minister, that's important, particularly to get the voice of the community heard. But I know that in the north, anyway, nobody seems to be listening. The district health council, if that's our voice, doesn't seem to be very effective, because we have hospitals all over the north that are either half finished or still on the drawing board, and we have a heck of a time, as you've indicated in your area, attracting doctors and keeping them. So health care is becoming a very difficult and challenging proposition.

Is there anything that you think we should be doing as government to correct that, to make these councils more effective? The budget went from \$25 million when there were 33 DHCs operating down to a budget of \$9.5 million, I guess, this past fiscal year, 2002-03. Is there anything we could do to make them more relevant and effective?

Mrs McCleary: Maybe listen. I guess just listen, and I think the district health council has to make plans for development of the integrated health care.

One of the things that I think the district health council has to do is make sure that resources are used in the best way. In our hospital now, the mammogram program does function at night. Why aren't our MRIs and our CAT scans functioning? It's because we don't have the personnel or the funding. This is one of the reasons we should encourage that you look at the personnel and the funding, because I don't think there should be the waiting lists there are for diagnostic tests if we effectively looked at running the CAT scans and the MRIs longer for the convenience of people.

1520

I think one of the things we have to look at is patient-centred care. Many years ago I went in for surgery in York county. I had to go in the day before. They put my IV in at 9 o'clock in the morning, and my surgery was at 5 o'clock. I've had six eye surgeries in the last six years. You go in the day of, you have your IV put in while you're waiting and then you take your IV pole and you walk to the OR. Positive things like that are happening. I think we have to look at the resources we have and how we can improve more things like that. Day surgery is up to 65%, 75%, 85% and there's same-day admit.

Rather than wasting resources—I'm talking personnel and money as well. There are ways they can re-look at things and make things better. Things are happening, changes are happening for the positive. I think once I get into that I will be able to see more. As I said, this is a new area. The district health council and all this is new to me. I'm sure looking forward to the challenge of working to make things better.

Mr Martin: Do you think district health councils should have a role to play in public health issues: water, smoking, promotion of health, prevention of sickness?

Mrs McCleary: It's all part of the package as far as I'm concerned. Reading the notes from the district health council, I noticed that they've been proactive in many programs, in healthy programs. There are a number of them here—new stroke care centres for seniors. There's one in Royal Vic, there's one at York Central and now they're asking that York regional health centre be sited for the third.

Keeping Seniors Healthy is a network to foster and maintain the well-being of seniors. The purpose of this project is to identify seniors who frequently access the services of the hospital but do not require admission and to help them access the proper community-based systems that are there so that they don't have to go into the hospital as often.

Another one is the community heart program funding, Good for Life, and York region's Heartparty. This is part of extending the successful Ontario heart health program to reduce the risk of cardiovascular disease. I think this is part of the area that the district health council is involved in. They're being proactive in maybe preventing some of this.

Mr Martin: There are some parts of Ontario where municipal councils just don't have the political will, for example, to legislate that there be no smoking in any

public buildings anywhere. There is always the argument that if we do it, then we give the town next door an advantage—bingo halls or bars etc. There are some health units—not district health councils but health units—that are actually taking the bull by the horns themselves and saying, "We're going to legislate that there's going to be no smoking." Do you think district health councils should have that kind of authority, to in fact move in where the political will isn't present to legislate, for example, that there be no smoking in public buildings?

Mrs McCleary: That would be nice, but I don't think it's a reality. I'm not a smoker. I think everything should be no-smoking because smoking increases the cost of our health care system. It certainly can be proactive in that, but I don't think that is what their mandate is.

Mr Martin: Do you think the district health council should have a role to play, for example, in the very challenging circumstance that we now find ourselves in here in Toronto, where SARS has broken out and we're having a difficult time containing it? A district health council has responsibility for a large area. Is there a role that it could play there that you're aware of?

Mrs McCleary: I think so: communication with our partners and the agencies they partner with. Yes, I think so. Yes, I do.

Mr Martin: Those are all my questions. Thank you very much.

The Chair: Thank you very much, Mr Martin, for your questions. We now move to the government.

Mr Wood: We'll waive our time.

The Chair: The government has waived its time for questions, so you may step down, Mrs McCleary.

Mrs McCleary: Thank you.

The Chair: Thank you very much for being with us this afternoon.

At the present time, I have next on the agenda consideration of the appointment of Edwin Morton Parker to the Quinte West Police Services Board. This matter was deferred from our previous meeting at the request of Mr Wood.

Mr Wood: I'm authorized to indicate that the government is withdrawing his name for consideration.

The Chair: Mr Wood has indicated that the government is withdrawing the appointment of Edwin Morton Parker to the Quinte West Police Services Board. That requires no action from the committee, simply the acknowledgement from Mr Wood. Thank you very much, Mr Wood, for that acknowledgement for us to help us out.

We will now move to the appointments review itself. I'll go through each of the appointments, as I always do.

The first is the intended appointee as member, Alcohol and Gaming Commission of Ontario board of directors, Jack Johnson.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence in the appointment. Is there any discussion of the appointment? If not, all in favour? Opposed? The motion is carried.

The second intended appointee is as member of the Metropolitan Toronto Convention Centre Corp board of directors, Diane Mavrinac-Ross.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence in this appointment. Any discussion? If there is no discussion, I will call the vote. All in favour? Opposed? The motion is carried.

The third selection was Donald R. Martyn, intended appointee as member, Environmental Review Tribunal.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence in the appointment. Any discussion? If not, all in favour? Opposed? The motion is carried.

The next appointment was Reginald Stackhouse, intended appointee as member, Ontario Human Rights Commission.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Any discussion of the appointment? If not, I will call the vote. All those in favour? Opposed? The motion is carried.

Next is Sandra McCleary, intended appointee as member, Simcoe York District Health Council.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence in the appointment. Any discussion? If not, I will call the vote. All in favour? Opposed? The motion is carried.

I have another matter to come before the committee, and that is an extension which has been requested.

Mr Wood: Perhaps I could ask for unanimous consent to extend the time for consideration of the intended appointment of Vivian Jarvis by 30 days.

The Chair: Do we have the consent of the committee?

Mrs Dombrowsky: Agreed.

The Chair: The committee has agreed with Mr Wood's request.

Is there any further business the clerk knows of for the committee or any further business that members of the committee have for the committee? If not, I will entertain a motion of adjournment.

Mr Wood: So moved.

The Chair: Mr Wood has moved adjournment. All in favour? Opposed? The motion is carried unanimously. The meeting is adjourned.

The committee adjourned at 1529.

CONTENTS

Wednesday 23 April 2003

Subcommittee reports	A-277
Intended appointments	A-277
Mr Jack Johnson.....	A-277
Ms Diane Mavrinac-Ross	A-281
Mr Donald Martyn.....	A-284
Mr Reginald Stackhouse	A-288
Mrs Sandra McCleary.....	A-291

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Wayne Wettlaufer (Kitchener Centre / -Centre PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Ted Arnott (Waterloo-Wellington PC)

Mr Dwight Duncan (Windsor-St Clair L)

Clerk pro tem/ Greffier par intérim

Mr Douglas Arnott

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services



A-1

A-1

ISSN 1180-4335

Legislative Assembly of Ontario

Fourth Session, 37th Parliament

Assemblée législative de l'Ontario

Quatrième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 7 May 2003

Journal des débats (Hansard)

Mercredi 7 mai 2003

**Standing committee on
government agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues



Chair: James J. Bradley
Clerk: Anne Stokes

Président : James J. Bradley
Greffière : Anne Stokes

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 7 May 2003

Mercredi 7 mai 2003

The committee met at 1007 in room 151.

The Chair (Mr James J. Bradley): I'll bring the meeting to order. The standing committee on government agencies is now in session.

I have an official notice from the public appointments secretariat that the name of Edward Morton Parker has been withdrawn "and, therefore, should be voided and returned to us," it says.

SUBCOMMITTEE REPORTS

The Chair: The second thing I have now to tell you is that there's a report of the subcommittee on committee business dated April 24, 2003.

Mr Bob Wood (London West): I move its adoption.

The Chair: Mr Wood has moved its adoption. Is there any discussion of that report? If not, I'll call the vote. All in favour? Opposed? The motion is carried.

I also have a report of the subcommittee on committee business dated Thursday, May 1, 2003.

Mr Wood: I move its adoption.

The Chair: Mr Wood again has moved its adoption. Is there any discussion? If there's no discussion, I will call the vote. All in favour? Opposed? The motion is carried.

INTENDED APPOINTMENTS

MARIE TRAINER

Review of intended appointment, selected by official opposition party: Marie Trainer, intended appointee as member, Haldimand County Police Services Board.

The Chair: We will now move into proposed appointments. The first will be Marie Trainer, who is an intended appointee as member, Haldimand County Police Services Board. Ms Trainer, you may come forward. As you have likely been informed, you have an opportunity to make an initial statement if you desire to do so. Subsequent to that, the questions will come from any members of the committee who wish to direct them to you. Just so we know, today we will begin with the official opposition. We've reached their rotation and the official opposition will be the first to direct questions. Welcome to the committee.

Ms Marie Trainer: Thank you very much, Chairman Bradley and committee members. I am honored to appear

before you today as a candidate for the appointment to the Haldimand County Police Services Board.

My family has lived in Haldimand county for six generations. My children and grandchildren also live here. My mother, who is 94 and living with me, was born on a farm on the same road where we live today. My roots are very Haldimand-bound.

I served the people in Haldimand in an official capacity from 1985 until 2000. I was mayor of the former town of Haldimand from 1991 to 2000, was a regional councillor from 1988 to 1991, and the town of Hagersville's councillor from 1985 to 1988. I have been involved in community initiatives most of my adult life.

The time I spent working as councillor and mayor allowed me to develop and display the skills required for this position. On a more specific note, I held a very similar position within the town of Haldimand, serving on the neighborhood policing committee for the Cayuga area. The chamber of commerce members had some very strong concerns about the non-presence of our police force in the community. The OPP headquarters for the east end of the region of Haldimand-Norfolk was situated just outside Cayuga, but the general impression of the local merchants was that they only saw police cars as they passed through at high speed. We were experiencing a lot of vandalism in the town core and this situation needed to be fixed. We worked with the OPP to increase their presence and patrol the area more often and more thoroughly, along with an expanded merchant watch. We also took on many cooperative ventures that I can explain and expand on later, if you so wish.

I worked with and helped the volunteers for the Hagersville tire fire. Twelve million tires burned for 17 days. I watched Inspector Norm Denkirk and his force operate with efficiency and military precision, containing the area almost immediately. No one was allowed in or out without authorization. The OPP deployed community networks, hazardous materials and media relations staff etc. We fed the OPP officers, the regional police, the ambulance drivers, the Ministry of the Environment, the Ministry of Health, social housing, and all the firemen from across the region of Haldimand-Norfolk etc.

We, the volunteers, had to be moved out of the plume of smoke four times. The great care these officers showed us has never been forgotten. You can imagine moving dozens of mostly middle-aged women, along with their food supplies, kettles, pots and pans, not once but four times as the plume of smoke continued to

change and grow. Much patience and kindness was bestowed on us. We fed hundreds of people each and every day. Many friendships were made and still stand today.

Then along came the great train derailment. I was then mayor and had some very hard decisions to make. I had to work in consultation with emergency services, Chief Wellington Staats of the Six Nations and Chief Carolyn King of the Mississauga New Credit Reserve, approximately 6,000 native people, the 24,000 people of the town of Haldimand and our neighbours in Hamilton.

This time the final decisions were mine. The OPP again worked with military precision and efficiency under incident commander Sergeant Dave Hillman, cordoning off the area, deploying a force helicopter, communication trailers and staff, dangerous goods, crime management, a mobile PA to ensure the siren could be heard from both ends of the disaster, ambulances—both local and from Hamilton and Brantford—and an emergency response team. The train contained seven cars of liquid propane. If any leaked out as they lay in their twisted state, or ruptured when being righted or drained, the outcome was death to anyone close to the ground.

To add to this disaster was the Canadian Gypsum Co, which mines gypsum with several hundred employees, and two large trucking companies that were in the direct path of any spillage of escaped gases. The OPP had their experts arrive immediately, along with emergency services, to advise me as to all the options available so I was able to make informed decisions. The advice of Superintendent Ron Fox was much appreciated. We had to evacuate the entire Canadian Gypsum Co employees and the two trucking companies. Local farmers requesting to feed livestock were escorted in by the OPP between off-loading starts. Robinson Stables, Canada's best in harness racing, a standardbred \$10.4 million dollar a year breeding facility, was advised to get trucks and carriers available in the event of evacuation. Several of our residents, the Six Nations and the Mississauga New Credit people were either evacuated or put on notice to be ready to move at a moment's notice. I needed the OPP's experts and they were there for me and the people of Haldimand.

We seemed to go through a very dark time. Several of our young people were being killed in accidents on provincial Highway 6. Something had to be done.

We formed a Safe on Six committee. We placed chevrons on the shoulders and on the lines which marked the highway. People donated their land so we could place Safe on Six signage. We had students from the local high schools on our committee, and we worked with them to bring awareness to their fellow students. We erected signs that showed the fines that would be imposed if you were caught speeding. And again the OPP were there helping, suggesting and guiding us.

A good police force is of paramount importance to keeping our community safe and secure. I am a business woman, a farmer, a daughter, a mother and especially a grandmother, and keeping Haldimand safe is important to

me. I hope you will seriously consider my application. I understand the value of strong policing in our community and would really like to work towards that goal.

The Chair: We begin our questioning with the official opposition.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Thank you very much. I appreciate your explanation. I noticed in your background as one of your positions the Safe on Six committee, and I was going to ask you what in fact that initiative was all about. I certainly appreciate the explanation that you have provided for us here today. It sounds like obviously a successful one.

With regard to your intended appointment to the police services board, I do have a few questions. First of all, how is it that you have come to be an intended appointee here this morning?

Ms Trainer: I saw the council's appointment was in the newspaper—Jack Esselment, whom I've worked with in the past. He had been chosen, as I said, by council. There had been advertisements in the paper for people to respond, but not for the provincial appointment. I happened to be at an event where Toby Barrett, who is our local MPP, was and asked him if they had appointed anyone provincially. He said, "No, are you interested?" and I said, "Yes, I think I would be." So he said, "Well, send me a resumé," and here I am.

Mrs Dombrowsky: So you sent your resumé to Mr Barrett—

Ms Trainer: And he forwarded it.

Mrs Dombrowsky: Did you apply for the municipal vacancy on the board?

Ms Trainer: No, I did not.

Mrs Dombrowsky: Is it because you preferred to be an appointee of the province?

Ms Trainer: No—I don't know. I thought about it and then I didn't send one in, and then when I saw the picture in the paper of Mr Esselment, I thought maybe I should apply. It just happened that I met Toby, and we got a conversation going.

Mrs Dombrowsky: You have in your background information certainly outlined your municipal political experience. Have you political experience at any other level?

Ms Trainer: No. Do you mean provincially or federally? No.

Mrs Dombrowsky: Are you a member of a political party?

Ms Trainer: Yes, I am.

Mrs Dombrowsky: And that party would be?

Ms Trainer: The Progressive Conservatives.

Mrs Dombrowsky: Have you actively worked for a candidate? Have you pursued a role? Are you a member of the executive?

Ms Trainer: I've done some calling to get people out to vote for Toby.

Mrs Dombrowsky: So when you approached him about this he certainly would have recognized you as a supporter.

Ms Trainer: Oh, yes. Toby and his wife Cari and I went to school together—a long history.

Mrs Dombrowsky: You've indicated in your background that you have past experience municipally. Have you any aspirations for the next municipal election?

Ms Trainer: Yes. I do plan on running as mayor.

Mrs Dombrowsky: You plan on running as mayor of—

Ms Trainer: Of the county of Haldimand.

Mrs Dombrowsky: Do you think that would place you in a potential conflict? First of all, how are appointments made? How many people does Haldimand county have on the police services board?

Ms Trainer: The mayor, another councillor, their appointee and then two provincial appointees.

Mrs Dombrowsky: OK, so as mayor of Haldimand county you would automatically be a member.

Ms Trainer: If I so choose. I guess the mayor can choose whether she or he wants to be on the board, or they may choose another councillor to be, so there would be then two councillors.

Mrs Dombrowsky: So if you're appointed today and you run for mayor and you're successful, obviously there would then be a vacancy in a provincial appointment position on the police services board.

1020

Ms Trainer: I would just be changing chairs.

Mrs Dombrowsky: You would be changing chairs, but there would be one chair vacant, would there not?

Ms Trainer: Yes. They would have to appoint someone else.

Mrs Dombrowsky: Yes. So we would go through this exercise and then conceivably, some months down the road, do it again. We would go through this exercise today and then there would be a need for another appointment.

Ms Trainer: Yes.

Mrs Dombrowsky: Did you consider that when you asked Mr Barrett? Were you aware that you were putting your name forward to be mayor when you spoke—

Ms Trainer: I was considering it quite strongly at that time.

Mrs Dombrowsky: You were? All right. You don't see that as a potential problem that the board might be short-handed for a period of time if you would be successful in pursuing that role as mayor?

Ms Trainer: No, because it's been short-handed for a very long time right now.

Mrs Dombrowsky: That would be my point.

Ms Trainer: So I guess it hasn't been a problem.

Mrs Dombrowsky: I guess my point would be that I think it would be important to place someone on the board—and that typically happens across the province where the provincial appointments to police service boards have been left vacant for a number of months and, in some cases, years. So finally, when we get a provincial appointment, then to see that position might be vacated in the not-too-distant future, to me it seems very unfortunate that we put this effort and energy into that appointment.

Would it be your plan during the time of municipal campaign to absent yourself from your duties on the police services board?

Ms Trainer: Definitely not.

Mrs Dombrowsky: OK.

We have some of your work background. Often, intended appointees will provide us with a little bit of professional background, education and training. Would you be able to share some of that with us?

Ms Trainer: I guess my main education was business training. I worked for IBM, International Business Machines. It was quite exciting because it was right on the brink of computers really becoming very important to the community. We had a bigger room than this just for the computer. Now we all have the little laptops. So it was quite exciting to see it grow. Programmers were almost gods. They were highly regarded. Now you have young children designing their own programs. So it was a very exciting time for me.

Mrs Dombrowsky: In your remarks you spoke about some of the policing issues that you were aware of and worked to address when you were politically active municipally. What are the key issues at the present time that you believe require some attention?

Ms Trainer: I've lived in this community all my life. My children are living in the community and raising their families now. I think policing issues are very personal. Up until 10 years ago, we never locked our doors or took the keys out of our vehicles. I think hard-working people should expect that level of security in their community. We shouldn't have to turn out the lights and hide things when we go out for the evening. I will dedicate my full energy and support to ensuring police presence in the community.

We personally had a home invasion—as I said, we never locked our doors. We live close to the Cayuga International Speedway and we've never had a problem with them at all, until they started having rock concerts on the 24th of May weekend. Many of the neighbours had quite a bit of trouble; my son was building a house on the lot off the farm and our generator was stolen; my nephew had his barn broken into. The people said they were just looking for a cat. My brother had his dog stolen. One neighbour had her door broken right down. She was planning on going away that weekend but had to stay home. They just stole food and beverages.

I did lock the door that evening. My son was going out and I said, "Since it's 24, maybe I should lock the door." I'm glad I did, because the outcome could have been different. I have doorbells—

Mrs Dombrowsky: So security in general would be one of your chief concerns?

Ms Trainer: Yes. They tried to break right in when we were home.

Mrs Dombrowsky: Thank you very much.

Mr Michael Gravelle (Thunder Bay-Superior North): Good morning, Ms Trainer. I must admit that it does seem a little strange—just to follow up a bit on Mrs Dombrowsky's comments—that you're going to be in a

position where, if you're appointed today, you will be the provincial appointee who may indeed then be the municipal appointee if you are successful when you're running for mayor. I guess in some sense it gives you a bit of a leg up in terms of some of those issues. I'm not sure if it is inappropriate, but it seems a little bit odd, six months before an election, when you're actually campaigning—you've publicly announced, I presume, that you're campaigning—that you'd be taking this position. It doesn't strike you as being strange or unfair?

Ms Trainer: Well, everything happened quite a long time ago; it has just taken a long time to get to this position. I guess things have all come together at once.

Mr Gravelle: It is unusual. You'll be in a position, certainly as an appointee, to be able to make, obviously, some statements that to some degree will have a bit of a political quality to them because you'll also be campaigning. I think we all understand that sometimes that can be—

Ms Trainer: But I'm told that any position on anything that happens on the police services board is supposed to come from the chairman.

Mr Gravelle: Sure, but you'll still be making comments. But I do want to ask you, if I've got any more time left, Mr Chair—

The Chair: Last question.

Mr Gravelle: I'm curious as to how you feel about the restructuring process that went on in Haldimand-Norfolk. That was pretty controversial, as it is all across the province; we've got our own story, certainly, in my part of the world in northern Ontario. So I'm curious as to how you feel about that.

Ms Trainer: That was one of the questions I thought you might ask. I did write a couple of notes. I got your 26 questions, plus I put down some other things I thought you might ask. I was definitely for restructuring of the police force. The OPP is considered the premium in policing services. They have the highest standards and the best equipment in all of Ontario. So what more could we ask for?

Mr Gravelle: I meant the municipal restructuring itself, the whole restructuring of the municipality.

Ms Trainer: Oh, not just the police force. I was for the restructuring. The majority of the residents wanted restructuring. We had been Haldimand county and Norfolk county for over 150 years, and only for 25 years were we a region. It never seemed to come together. There always seemed to be a great divide, and so the majority of the people wanted it. I don't know if they're that happy about how it has happened. It hasn't happened as smoothly as they expected. I don't know what would happen now if you took a consensus, but at the time a large majority was definitely for restructuring.

The Chair: That's it for you. We now move to the third party.

Mr Tony Martin (Sault Ste Marie): I actually wanted to follow up on the previous question and have you help me understand, first of all, how at a time when this government was making larger communities out of

smaller communities and in some instances riding roughshod over people's strongly felt commitment to small municipalities that had grown up over the years and that they felt attached to and could identify with and had all kinds of interesting historical characteristics that they didn't want to lose—in this instance, with the Fewer Politicians Act in 1999, your region was actually split up and went back to the two smaller entities. How did that anomaly happen when across the province it was the other way around?

Ms Trainer: It was a majority of the people. They wrote letters, sent in comments, came to committee meetings. We were actually 28 small little communities, and then we formed Haldimand county and Norfolk county, and then we had a region over top. I would say the people didn't really want that to happen when it did. They wanted to keep their small little communities, but Nanticoke came in, with Ontario Hydro, and the steel company and Imperial Oil. Those three huge companies did not want to deal with all these little communities dotted all over the place. They didn't want to deal with 28, all these different councils with huge numbers of people on them. So that's when they decided to amalgamate and make Haldimand county and Norfolk county. Actually, they made it into six. They made it into Dunnville, Haldimand—the city of Nanticoke was actually the one that then ended up dealing with the three large companies—Simcoe and Norfolk.

1030

Mr Martin: I just find it strange and interesting. I'm trying to get a handle on how this could have happened politically. Certainly the people of Toronto, in a referendum that was held, said no, they didn't want amalgamation, but it was forced on them anyway. In the Sudbury area, it was basically the same thing. Yet in your area the complete opposite happened. What kind of political influence would have to be brought to bear to actually have an anomaly like that happen at a time when we were going in the other direction?

Ms Trainer: We had someone come down and actually tour the entire region and interview people who wanted to speak to him. As I say, there were letters and pressure from the councils. He was listening more or less to the majority of the people about what they wanted at that time. Yes, it was interesting, because a lot of people wondered how we got that.

Mr Martin: Yes, because in the Hamilton area there were a lot of small communities that wanted to retain their communities and their entities, but they were just forced by the bigger entities to—

Ms Trainer: I know one big issue was our courthouse. We had one in Simcoe and one in Cayuga. We were told that if we were a region, we would have to lose one, and it looked like probably Cayuga's would have to go. People just started protesting. They did not want to lose the courthouse. Again, we have two nursing homes and one would probably have gone—sort of those things. It's like motherhood and apple pie. People wanted to hang on to those things. So they really put a concerted

effort into saying, "No, we want to be back to two counties like we were before so we can keep all those things." Because if you're a region, you only need one of each, but if you're a county, you also need one.

Mr Martin: Again, it's an interesting example of a juxtaposition that is up in Chris Hodgson's area, where a forced amalgamation was the order of the day. There was a huge backlash, and this government decided to go ahead anyway. I think that issue is still brewing there.

What role that you're aware of did Mr Barrett and perhaps yourself and the rest of the Conservative organization play in the breaking up of that regional government?

Ms Trainer: I know Mr Barrett did several surveys of the people. I think they did a lot of random calling just to see what the average feeling was out there. His results must have been that the people wanted it to be back to Haldimand county and Norfolk county. A lot of people feel there's a great divide between the two counties. They wanted to go back to what they had been for 150 years. So in a way we were going back to what we had for 150 years.

Mr Martin: But in other jurisdictions that wasn't allowed to happen, even though the strong sentiment of the people was that they wanted to retain their entity.

Your role in that as mayor of Haldimand, would you—

Ms Trainer: Yes, they came right to our council and let every councillor have their say. They were allowed to present it on paper, present it verbally, any way they wished. They were allowed to send more if they came up with some more information. The whole process was very open. They were really trying to find out what the majority of the people wanted. They went to all six councils across the region plus the regional council and really listened to the councillors and then let as many people as wanted—they would have stayed as long as people wanted to keep coming and making presentations.

Mr Martin: Was policing an issue back then?

Ms Trainer: No, because we had already done that. We had regional police in the majority of our towns and the OPP did the rural areas. We had already gone to one police force; we already went to the OPP. A lot of our regional police officers joined the OPP. They had that option.

Mr Martin: When it was determined that one county should have to pay more than they thought they should for that policing, were you involved at that point at all?

Ms Trainer: A little. There was a great concern. The budget is around \$13 million and it was in a 60-40 split, which was about right. There are some 60,000 in Norfolk and some 40,000 in Haldimand. The only problem, and it seemed to keep showing up and the officers were quite concerned, was that Haldimand was only getting about 36% of the services. Maybe that's why we were having a lot of these problems, because we didn't have the officers. It seemed like Norfolk was getting more service than Haldimand and that was causing a little bit of a problem. I don't know why they couldn't have sat down

and rectified that, but I wasn't a part of that, as to what happened there. So it was decided to split the police force.

Mr Martin: You said the budget at that point was about \$13 million.

Ms Trainer: That's approximately what it is now. I'm not sure. It was around \$11 million or something. It keeps going up. But then they have been adding officers, they have been adding cars.

Mr Martin: So both counties now have a contract with the OPP?

Ms Trainer: Yes, still with the OPP, but now it's split. It's not one force across Haldimand-Norfolk. Haldimand has its own OPP force and Norfolk has its own OPP force.

Mr Martin: Do you foresee any possibility of putting them both together again at some point?

Ms Trainer: How does anyone guess that? That has just happened now. I think the police officers themselves are happier. But it has only been since February, I think, so they haven't really had time. You need a couple of years to settle in and see if it's working.

The Chair: That, believe it or not, concludes your questioning, Mr Martin. I always hate to be the person to bring the bad news.

Mr Martin: I know you do. Mike and I both know that. Every week it's the same.

The Chair: Now we move to the government caucus.

Mr Wood: We will waive the balance of our time.

The Chair: The government caucus has waived the balance of its time, so that concludes this particular appointment. I want to thank you very much, Ms Trainer, for being with us today. You may step down.

LINDA FRANKLIN

Review of intended appointment, selected by official opposition party: Linda Franklin, intended appointee as member, Ontario Place Corp board of directors.

The Chair: Our next intended appointee will be Linda Franklin, intended appointee as member, Ontario Place Corp board of directors. Welcome to the committee, Ms Franklin. As I'm sure you are aware, you have an opportunity to make an initial statement and then questions will be directed to you from members of the committee. Once again, welcome.

Ms Linda Franklin: Terrific. Thank you very much, Mr Chair. I appreciate the opportunity to speak to the standing committee today about my potential appointment to the Ontario Place board, and to offer some insight into my personal background and the reasons why I believe I can make a contribution to this terrific organization.

I grew up in Oakville, about a half-hour GO train ride from the CNE and Ontario Place. When Ontario Place first opened its IMAX theatre, I went with my parents to see North of Superior. Since then, I've had the privilege of watching Ontario Place grow and enjoying many of its fine facilities. I've sat outside under the stars at the forum

and I've sung along with Jimmy Buffett at the amphitheatre. I've gone roller skating with friends and wandered between the CNE and Ontario Place enjoying the waterfront at the end of the summer. I've watched the festival of lights with our family, and I've spent many a hot summer day watching my two boys play in the water park.

Having said that, I don't go to Ontario Place nearly as regularly as I once did, and I know Ontario Place is facing challenges because of flat attendance over the past few years. My hope is that, if appointed to the board, I can make a contribution to addressing these challenges and bringing more visitors to this wonderful site.

In my professional capacity, I am the president of the Wine Council of Ontario, a job I have held for the past nine years. In that role, I am responsible for working with the government and relevant agencies to advance the interests of the wine council and the wine industry in Ontario. As well, I'm responsible for heading up the marketing of Ontario wines, in consultation with our 50 member wineries and many other stakeholders.

I began my career in journalism and communications, and early in my career I worked at Queen's Park as the head of communications for the Progressive Conservative caucus and later as the executive assistant to Ernie Eves.

In the past few years at the wine council, more and more of our marketing focus has been on tourism, and I believe my experience in this area will be valuable to the Ontario Place board as it looks at ways to enhance its own tourism visitation. Just over a decade ago, the Ontario wine industry began marketing the wine route experience in Niagara and southwestern Ontario. I have been involved in the development of winery tourism almost since its inception. Today the wine route attracts over half a million visitors a year, from a standing start just about 12 years ago, and that number is growing each year. We run special events at wineries throughout the year, we develop more and more enhanced Web site capacity to drive tourism, and we work in partnership with other tourism organizations, such as Niagara Falls Tourism, the Niagara Grape and Wine Festival, the Southern Ontario Tourism Organization, the Shaw Festival, Stratford, and many other organizations to develop the synergies that are needed to keep growing our tourism market in a very busy marketplace with lots of competition. We're also working with the local municipalities in wine regions to develop ideas for encouraging winery visitors to stay longer and visit local towns, thereby enhancing the tourism experience over the whole of the province, and trying to find ways to make winery tourism available to local towns to build their own tourism infrastructure. This is what happens in the Napa Valley, and we think it is a model that can work here in Ontario.

1040

Recently we developed a guide to the wineries of Ontario, and have just released a new wine and culinary guide. Both publications invite visitors to come to wine

country but also to enjoy Ontario wine and cuisine in fine restaurants from Toronto to Pelee Island and from Niagara to Prince Edward county, the site of our newest winery members. I know that Ontario Place has a history of looking for partnerships to enhance their tourism experience as well, and I hope I can contribute some insight to this work.

Six years ago the wine council approached the Bloor-Yorkville Business Improvement Area, the imported wine association and Toronto Life magazine about creating a wine and culinary festival in the city of Toronto. Santé is now in its fifth year—it's on this week—and I am proud to say that it's growing by leaps and bounds and attracting new corporate partners and new tourists from all over the place every year.

Last year we partnered with the CTC, the Ministry of Tourism and Gourmet magazine to create a new food and wine experience in Niagara Falls. We hope this initiative will assist in the transformation of the Falls into a culinary destination, attracting a new tourism demographic. Again, I believe that this experience will help me to contribute to the revitalization of Ontario Place.

Currently the wine council has agreed to work with the Royal Winter Fair to find new ways to build audiences for the fair and make it relevant to a new consumer audience. I know Ontario Place has also worked to attract new audiences and new partners, and I hope I can contribute to this effort.

I have always volunteered and I find the experience of volunteering to be very enriching personally, so I am very excited about this opportunity to work with an organization I admire. My experience with the development of tourism for the wine industry, I believe, gives me some insight into the challenges and the opportunities associated with creating the kinds of experiences that drive tourism visitation, and I am very much looking forward to contributing to the continued success of Ontario Place as one of our province's and country's premier tourism destinations.

Thank you, Mr Chair.

The Chair: Thank you very much. We will commence our questioning with the third party.

Mr Martin: I just want to know, given your past experience with the Progressive Conservatives and Mr Eves, are you still actively involved with the PCs in Ontario?

Ms Franklin: Yes, I am.

Mr Martin: Ontario Place has been struggling, it seems, as of late. There have been a number of reviews of its operation and recommendations made that have been, I guess, ignored, or put on the shelf anyway. One of the recommendations was that the government should cut any subsidy and the corporation should be encouraged to go after private sector. The general manager at the time suggested that they were already doing that, there were public-private partnerships already in place. What would your view be on that recommendation? It's actually a recommendation that was put forward by a commission chaired by Mr Wood, who is here this morning.

Ms Franklin: I think any time an organization is able to reduce its dependence on government and find new ways to partner with organizations to build business, that's a good thing. It's certainly been the case with the wine industry. We've seen it in other tourism organizations we've worked with right across the board. So I think it's very valuable, and I think, frankly, it's not just an issue of the inflow of money. There are also issues of the revitalization that a partnership can sometimes bring to an organization. So I think that should clearly be looked at.

By the same token, looking over the Ontario Place financials, it's clear that the government subsidy rate has been dropping over the years, so obviously Ontario Place has been doing a lot of hard work to try to get there. I think that I would be open to any suggestion that would enhance the experience at Ontario Place and make it stronger.

Mr Martin: There was also a recommendation in, I believe, 1997 to merge Ontario Place with the CNE, and that was ignored. I guess with the new Toronto Waterfront Revitalization Task Force that's back on the front burner again. What would your position be on that?

Ms Franklin: I'd like to understand the research a little better before commenting on what led them to that decision. I know certainly from the perspective of my role in the wine council, we had a period of years in the late 1990s where our market share was declining fairly significantly. From my perspective, we're now starting to turn that around. We've developed a strategic plan, we've developed a vision, but it took a great deal of research to get there. I think the key factor for us was always that it had to be driven by our customers. It's wonderful to have plans and ideas, but at the end of the day, when you're trying to drive tourism, you need to reach tourists with what they want to see and hear. As I said, this is a very crowded marketplace for tourism.

I would want to look carefully at all the recommendations that have been put on the table, look at the research behind those recommendations and contribute as best I can in trying to put forward a vision for Ontario Place that responds to consumers' needs.

Mr Martin: Why would you think Ontario Place and the CNE would be resistant to coming together and merging? What would be the issues there, do you think?

Ms Franklin: I couldn't begin to tell you. I have no idea at this point, but I'd be interested in reading the reports.

Mr Martin: In accepting to be put forward for this appointment, what would your sort of blue sky vision of Ontario Place be?

Ms Franklin: The strategic plan that the wine industry developed took about two years to develop. As I say, I think my first goal for Ontario Place would be to understand what work has already gone into developing a strategic view.

As I said in my presentation, I don't go to Ontario Place very much any more. In preparing for this appointment, I had a look at the Web site. I looked at the new

services that have been in place since I've been there. It's clear they've been very focused on bringing in children and providing more and more services for children, which I think is wonderful and important. They've been building the educational infrastructure at Ontario Place, which I believe is important. But I'd like to see them also take a look at how they might attract adult visitors in greater numbers. I'm not sure that's been much of a focus, but of course as baby boomers age, as children grow up, I think it becomes more and more important to find out how you attract new audiences and how you hang on to audiences you may have had at a young age but may no longer have.

I'd like to see some work go into that. I'd like to see a compelling vision that again looks at the needs and interests of tourists and tries to establish a way to bring a wide range of folks from all sorts of generations back to the park.

Mr Martin: I can certainly identify with your not having been there for a while. I have four children and when they were young we used to drag them in there and they'd have a great time. We'd have a wonderful day. As parents, we'd be exhausted by the end of the day, but they would have had a wonderful time.

There's a suggestion that on the waterfront we should be looking at ways to create more public open space, green space, space where people could go to have a meal without having to go through a turnstile or pay for an attraction or pay even to use the toilet and that kind of thing. What would your view there be?

Ms Franklin: That's a wonderful goal, and I think it's important. We have the same struggle in Oakville at the moment as well—it sits on a large chunk of waterfront—as to how you ensure that the waterfront is open and accessible to everybody in the province, because I think it certainly should be.

Having said that, of course Ontario Place is struggling right now with financing and it's really important to find a balance where you're not driving people away from admissions to Ontario Place. It's important to find that balance, to find ways to encourage more people to visit the waterfront free of charge so they can enjoy it, and also to find more ways to encourage people to want to pay the admission cost to get into Ontario Place and enjoy what's there.

Mr Martin: Thank you very much. Those are all my questions.

The Chair: We now move to the government.

Mr Wayne Wettlaufer (Kitchener Centre): Provided you don't rule me out of order on this, being as Ontario Place is under the auspices of the Ministry of Tourism and I am the parliamentary assistant to tourism—

Interjections.

The Chair: I'm hearing conflict of interest from the other side, but I'm ignoring it right now.

Mr Wettlaufer: Thank you, Chair.

The Chair: Please go ahead.

Mr Wettlaufer: Good morning, Linda. I will say upfront that I do know Linda Franklin. Linda, I want to

say, both from my personal interest in tourism and my political interest in tourism, I really welcome your application. Your experience in consulting, marketing and communications and tourism is, I think, a most welcome addition, if the committee will agree to add you to the list. I really want to tell you that I thank you. I don't have any questions.

Ms Franklin: Thanks very much.

Mr Wood: We'll waive the balance of our time.

1050

The Chair: The government caucus has waived the balance of its time. We move to the official opposition.

Mr Gravelle: Good morning, Ms Franklin.

Ms Franklin: Good morning.

Mr Gravelle: I want to get some more details on how this appointment came about. We're always interested in that. I am curious: how did you manage to get this appointment? Did you seek it out?

Ms Franklin: No. What happened in my particular circumstance was that we had been working with the Ministry of Tourism for about two years, beginning with the development of a piece of the wine industry's strategic plan around wine and culinary tourism. At the end of that process, the ministry was very engaged with this idea of wine and culinary tourism, and has chosen to make it a plank in its overall strategy for the province. So we had done a great deal of work with the Ministry of Tourism in winery tourism and marketing tourism. The minister's office called me around the time that work was finishing and told me that the Ontario Place board felt itself in need of somebody on the board who could provide a marketing tourism experience and, hopefully, some insight into how to do that better, and asked if I might be interested in the appointment. I said, yes, I would be very.

Mr Gravelle: Did your affiliation with the Progressive Conservative Party have impact on that, as well, do you think?

Ms Franklin: I don't know. It was put to me in the context of the work we had done with the ministry.

Mr Gravelle: So it was directly with the minister that you were dealing?

Ms Franklin: With the minister's assistant.

Mr Gravelle: I'm curious, if I may, about your party connections. Your resumé indicates your direct work for them, I guess, from 1981 to 1987 and you've indicated to Mr Martin that you're still involved. Can you tell us in what fashion you are involved with the party right now?

Ms Franklin: Certainly. Not right at this moment, but in the past year or so, I helped Mr Eves with his leadership campaign in the Progressive Conservative Party.

Mr Gravelle: Were you involved with Mr Eves after his successful campaign?

Ms Franklin: No, I wasn't.

Mr Gravelle: Have you had any other affiliation with the party at all?

Ms Franklin: Not personally, no. I'm a member of the party, obviously, in Oakville.

Mr Gravelle: My understanding is that there is a Linda Franklin who is the co-chair of the PC Ontario fund. Is that still—

Ms Franklin: That wouldn't be me.

Mr Gravelle: That wouldn't be you? I know there was a fundraising event, signed by a Linda Franklin on behalf of the Ontario wine association, that went out—

Ms Franklin: Oh, I see. I'm not a co-chair of the PC Ontario fund, no, but we are planning a fundraising event in Niagara, not through the wine council, but rather through one of our winery members, Vincor, and I've agreed to help co-chair that event.

Mr Gravelle: It's just peculiar. I do have a copy of the letter. Some people got the letter who may not be as inclined, I guess, to pay the \$750 or \$250, depending on which level you wanted to be at, a letter signed by you as "Linda Franklin, co-chair, PC Ontario fund." I do have the—

Ms Franklin: As I say, I imagine the PC Ontario fund sent out the letter, but my role is simply as co-chair of this one event.

Mr Gravelle: I don't mean to be rude, but you did sign it. Your title is co-chair. So you're saying that you signed something when indeed you aren't?

Ms Franklin: I may have simply misread that because, no, I'm not the co-chair of the PC Ontario fund. That would be an error in the letter.

Mr Gravelle: But you did sign the letter. It is a fundraiser. It's an interesting letter. It brings to mind a couple of questions. Certainly, in terms of your position, there's nothing inappropriate about trying to obviously continue to do your job, but you're tying it very much in with the government's support for the industry. I guess that brings me to thinking that, if indeed you are in that position and you signed a letter such as this, it sets up a potential conflict. It obviously encourages people to come forward and spend their evening with Mr Eves. The letter says things like, "On March 27, the Honourable Janet Ecker delivered a budget speech in which our government announced ongoing support for Ontario's wine industry." There's some support of things, which again, from your position, is fine. It just seems odd now that you're saying—even though the letter went out, clearly to a lot of people, signed by you as "co-chair, PC Ontario fund." I'm a little perplexed, to say the least.

Ms Franklin: I'm sorry. I must admit I can't excuse the error in the letter, but perhaps it would be helpful to understand that as the head of the wine council, our council works with all of the parties in the Legislature and has for many years and has had really remarkably good relationships with every governing party. In fact, we're working with the Liberal Party at the moment to look at the possibility of a fundraiser, marrying our wine industry with a golfing experience. I would imagine over the next month or so we'll be sending a similar letter out under my signature for the Liberal Party. However, I'll be certain not to say that I'm the co-chair of the Liberal—

Mr Gravelle: So you didn't see the letter?

Ms Franklin: I'm sorry, Mr Gravelle. I did see the letter. I obviously made a mistake in signing it. I assumed when I saw the signature line that the co-chair referred to my co-chairing of the event.

Mr Gravelle: That's pretty peculiar. I have one other question, quickly, because I know my colleague wants to ask a question or two as well. Yes, that seems pretty odd.

Mr Wettlaufer: You better back off or you're going to be assisting the funding for the Liberals.

Mr Gravelle: It's a worthwhile question. It's a letter, and it was sent to several people.

In terms of Ontario Place itself, obviously there are some real challenges for Ontario Place and there has been some talk of privatization. I think in fact our colleague across the way here chaired a committee where they were recommending that Ontario Place be privatized. We also know that the government is, in essence, in a position of deficit unless they manage to sell assets of well over \$2 billion. Of course, the Dominion Bond Rating Service has said that the government is indeed in a deficit position and was last year as well.

Perhaps with some of the insight you may have as a result of your relationship, do you know if Ontario Place is perhaps one of the assets that the province is considering selling?

Ms Franklin: I wouldn't have any idea at all.

Mr Gravelle: My colleague, if I may, Mr Chair.

Mrs Dombrowsky: Good morning, Ms Franklin. I did listen with interest to your observation in terms of the decline in attendance at Ontario Place. As a mother of four children, our family visits almost every year, I would say, and now that our children are a little older, I'm very happy to take my nieces there. But I would suggest that one of the problems in terms of attracting people is the price of admission, when you consider that a play-all-day pass for children is \$28 per child. I would suggest there would be many families who would like to take their children to enjoy Ontario Place but simply cannot afford that, particularly children of low-income families.

I also note in the background—and I'm sure you've had an opportunity to read—that the support of Ontario Place by the provincial government in the last eight years has declined over 50%. As a director, is that an area that you believe you would be inclined to address?

Ms Franklin: I think we should look at any area that could help move Ontario Place forward. Certainly in my experience as a mother of two boys, some of those admission rates look pretty favourable when you look at Paramount's Wonderland, when you look at some of the big amusement parks in the United States that are much more expensive. Having said that, I guess it doesn't take away at all from the fact that there are going to be people who, even at the rates that they are now, are not going to be able to enjoy the park. Again, it's really an issue of balance: how you balance the needs of people to be able to enjoy the park with the ability of the park to continue to be successful.

Mrs Dombrowsky: I am concerned that someone who is intended to be appointed to the board of Ontario Place would suggest that a \$28-a-day pass for a child is favourable. Given the comparisons you have, that might be a fair observation, but if you were to come to my riding and consider the average income of folks in my communities, I would suggest that \$28 a day per child is not particularly favourable when you add on top of that there's parking, there are additional charges for other amusements within the park. So I would beg to differ with you on that particular point.

I'm very concerned that as an intended member of the corporation you might bring that perspective to any discussion or debate around admissions. I would suggest it probably has a very direct impact on the attendance of families and children at the park. I would also suggest that because of the lack of support of the provincial government, a government that is prepared to spend millions of dollars on partisan advertising but pulls away its support from a facility that provides a very wholesome experience for families and children, to me there's a significant disconnect there. I would hope that as a member of the board, at the very least here today, instead of saying that you're prepared to consider all avenues, you would say very clearly you believe there's a greater role for the province to play in terms of supporting a facility that provides a very wholesome opportunity for families and children in the greater Toronto area and the province of Ontario and our neighbours to the south. Are you able to say that?

1100

Ms Franklin: First, I'd like to clarify that I didn't say I thought \$28 was favourable; I said that I thought it compared favourably to other amusement parks in North America. Whether that means it's an appropriate rate in Ontario for a government-run facility is another discussion. I would certainly be prepared to look at anything that, as I said, enhanced Ontario Place, but I think it's really important—at least we've certainly found in developing winery tourism that it's very important—that you have appropriate research in front of you to understand exactly what the issues are.

In the wine industry, we found ourselves leaping to conclusions about what would raise tourism in our industry because of our own experience. When we stepped back and looked really carefully at consumers and what they were telling us, we found different things. I would be very much driven by research and by insight into consumer habits and what they're telling us their needs are, and I would certainly be prepared to look at anything that they're telling us is important.

The Chair: That concludes your time, Mrs Dombrowsky, and I think that concludes the time of the entire committee, as I look down my list. Thank you very much, Ms Franklin, for being with us today.

Ms Franklin: You're very welcome.

The Chair: You may step down. Thank you very much again.

VIVIAN JARVIS

Review of intended appointment, selected by official opposition party: Vivian J. Jarvis, intended appointee as member, Ontario Human Rights Commission.

The Chair: Our next intended appointee is Vivian J. Jarvis, an intended appointee as a member, Ontario Human Rights Commission. You may come forward. I know you would be aware that you have an opportunity to make an initial statement to the committee, if you see fit. Subsequent to that, there will no doubt be questions from members of the committee. Again, welcome to the committee.

Ms Vivian Jarvis: Good morning. I thank you for the opportunity to meet with you today, and I do have some brief comments to make. I appear before you this morning because someone recommended me for this position.

During the last 40 years, I have resided in the communities of London, Stratford, Ottawa and Hamilton. Some of those years were spent as the wife of the member for the riding of Perth and raising two children. I was involved in volunteer work in the areas of mental health, hospital auxiliary, corrections and church. Each of these organizations attempted to help individuals who were in need of assistance, either physically, mentally or emotionally.

This volunteer work prepared me for the four years I worked for my federal member in his constituency office and for the five years I worked for Mr Johnson in his legislative and constituency offices. The constituency office enabled me to assist people who had difficulty meeting the requirements of the various ministries that were helping them, ie, disability pensions, housing, drug plan etc.

The volunteer work, the constituency jobs and my involvement on an Anglican national council have helped me to learn that there are many people in our society who need assistance as they work through some of life's difficult situations. In reading the material sent to me from the clerk's office, I could see how the Human Rights Commission has been accomplishing this in areas such as education, housing, seniors and health care. It is my belief that my experiences as a mother, grandmother and volunteer and my work in constituency offices may be of assistance in working with other members of the Human Rights Commission if my application is approved. Thank you.

The Chair: We commence our questioning with the government.

Mr Johnson: Vivian, you and I are very well acquainted. I just wondered about your other working experiences besides my constituency office.

Ms Jarvis: I have worked in two law offices as a clerk-receptionist. I have been on city council in Stratford for one term, which was two years at that time. I've worked in a number of other areas, basically as a clerk-receptionist. My expertise is basically in bookkeeping and typing, from the high school level.

Mr Bert Johnson (Perth-Middlesex): Did you ever work in anybody else's constituency office?

Ms Jarvis: Yes, I mentioned that in my opening remarks.

Mr Johnson: Oh, I'm sorry. Actually, I missed it. Because that was one of the reasons why I sought out your employ—your ability to work with me when I first became elected in 1995—and that was I wanted somebody who had worked in a constituency office before, if I possibly could. I want to say that I recognized a whole lot of other things in making that decision, but part of it, among skills, personality and those things that you need in a constituency office in my area, anyway, in the city of Stratford, is what I would call front-counter presence, because you get people who walk in and they want a birth certificate, they want information. That's why I wanted to ask you about your previous work, because that was one of the things that impressed me.

Ms Jarvis: One of the things I left out, too, is I did run a halfway house for a short time, so that included some prison work as well. But I think that also works in with my Canadian Mental Health Association work, and I believe you have a copy of some of that.

Mr Johnson: How much time do we have?

The Chair: You have lots of time; keep going.

Mr Johnson: It has nothing to do with this interview or anything else, but I couldn't help—Ms Jarvis knows that I have a sense of humour. But when you said that you had run a halfway house—I lived in a halfway house for a while. We were building a new house and I had sold the other one, and the new one wasn't ready, so halfway in between where I was moving from and to, there was a house that I lived in for the summer in 1994, in that area, anyway. So I just—

The Chair: You missed your calling, Mr Johnson, quite obviously.

Mr Johnson: I couldn't help but say it, with all this about the halfway house in our own family.

I didn't have any other questions of this well-qualified person.

Mr Wettlaufer: Hello, Vivian. How are you?

Ms Jarvis: I'm good, thanks.

Mr Wettlaufer: You know of my involvement in multiculturalism and I believe you may also know of my interest in helping the disabled. One of the things I've noticed here in the grounds cited in complaints filed with the Human Rights Commission from 2000 to 2002 is that grounds for complaint have gone from 674 in 2000-01 to 688 in 2001-02, sexual and pregnancy grounds went from 671 to 762, and disability from 732 to 1,183. I have a problem with prejudice for whatever reason; I have no tolerance for prejudice. How do we overcome an increase in these complaints? What do we do? What can the commission do to alleviate, if you will, an increasing number of complaints for these reasons?

Ms Jarvis: I believe the reason we are having an increase in these is because there's more awareness. People are being more open in the things that are happening to them. Before, I think it was there but we were not

aware of it. That's one of the things that the Human Rights Commission certainly has been able to do is to facilitate a lot of that. That is the only thing I can think of. I cannot give you an answer as to how you can overcome it until I have some experience working with them. I can't give you an answer on that right now.

1110

Mr Wood: We'll waive the balance of our time.

The Chair: We now move to the official opposition.

Mrs Dombrowsky: Good morning, Ms Jarvis. It's nice to see you here this morning. I would like to perhaps open my questions with a statement that I am impressed with your credentials as a former constituency assistant and legislative assistant. I must say, in my role as an MPP, my own experience with assistants is that they fulfill a very important role and are a tremendous support to members. I would say they must be very versatile in terms of their abilities and also to put up with what MPPs ask of our assistants on a daily basis. We need information at a moment's notice, and you keep us on time and on schedule and well-informed. So I'm sure in your role as assistant to your members, you were all of that or you wouldn't have kept your role. I say that only knowing of the very good work that my assistants provide to my office. So I did want to say that this morning. Anyone who has filled that role I know has some very special qualities.

Moving on, though, you indicated that you had been asked to consider this appointment. Who asked you?

Ms Jarvis: Someone put my name in to Mr Johnson's office and I had a call from Mr Johnson's office. Probably somebody in the community perhaps who had worked with me.

Mrs Dombrowsky: I'm sure.

Just a couple of other questions with regard to the information you provided and also your remarks. Your professional qualifications: you've indicated your expertise is in—

Ms Jarvis: In bookkeeping and typing, but quite frankly my education has been on the job.

Mrs Dombrowsky: All right. A very good place to get it as well.

You indicated with regard to your political involvement—I'm just curious; I wanted to perhaps fill in some of the question marks—that you were a campaign member for a leading candidate in the federal party leadership race in 1983. What campaign was that?

Ms Jarvis: That was the Honourable John Crosby. It was a four-month appointment.

Mrs Dombrowsky: And you yourself were the Perth candidate for a major political party in the election of 1997?

Ms Jarvis: In 1977.

Mrs Dombrowsky: You yourself were the candidate?

Ms Jarvis: Unsuccessful, I might say, yes.

Mrs Dombrowsky: For a major political party. Is it fair to assume that was the Progressive Conservatives?

Ms Jarvis: Yes.

Mr Gravelle: Good morning, Ms Jarvis. I think you deserve a medal—maybe not this appointment; this may not be the reward you want—for working with Mr Johnson.

Ms Jarvis: He's also a good teacher.

Mr Gravelle: But we all love him.

Being a former constituency assistant myself, which is how I began many years ago, and being sensitive to the kinds of things that happen in all of our offices in terms of the challenges, I applaud you and thank you for that work. I know it's extremely challenging. I think to some degree obviously that would give you some basis for experience in terms of the Human Rights Commission. But I am curious as to whether or not this is something you actually sought out. Was it suggested to you? The Human Rights Commission is not a big board. There are not a large number of members, and there are all kinds of issues that are extremely important. So I just wanted to ask you whether it was something you have thought about for some time and thought, "Gee, this is a board or a commission that I'd like to be a part of."

Ms Jarvis: Not really, no. As I said, my name was submitted and I had the phone call and I was asked if I would like to consider it. So I took some time to think about it. I thought about my involvement in being one of the founding members of the Perth county mental health association and the problems we saw there, my work in corrections with the halfway house and doing prison visiting and the work in the constituency office, really helping a lot of people who cannot work through the forms and don't know how to answer them and a lot of them haven't even finished public school. So when I looked at all of that and my volunteer work, I felt I had something that I could bring to the commission and perhaps this commission would be able to help make things better for some of these people.

Mr Gravelle: What do you think are some of the key areas that the Human Rights Commission should be working on? There were some issues recently that have come out. I can mention a couple of them, but I wanted to ask you, are there some areas that you think—clearly, freedom from discrimination of any kind is an absolute obligation in terms of our society in every way. Much like Mr Wettlaufer, I don't understand prejudice of any sort at all, but it still happens in our communities and our society. Just tell me what you think the priorities are or things that the Human Rights Commission should be watching or looking for right now.

Ms Jarvis: One of the biggest areas I have seen over the years is young people who are sent to prison. They learn more in prison than they had learned on the street. When they come out, they cannot get jobs, they cannot find places to live, so they end up going back into the system and back into the system. That's one area that's been dear to my heart for many years.

Some of the seniors I see are really struggling to make ends meet. That's another area I'm interested in. Certainly, seniors and the young people in our prisons are something I really think we need to look at.

Mr Gravelle: Tell me, if you could, in relation to that, what your thoughts are on mandatory retirement. The government made reference to it in the throne speech. I'd like to know if you have an opinion on ending that because that's one of the elements, even in terms of the Human Rights Commission, which only protects people up to the age of 65 in terms of age discrimination. I think Human Rights Commissioner Norton has spoken often about ageism being rampant in our society, and I think we all see examples of that. I'm curious, in that you may be appointed obviously shortly to this position, what your thoughts are.

Ms Jarvis: I noticed the mention of that in the material sent to me from the clerk's office. I find it very interesting. I will be 70 this year and I just got hired on at a law firm. I retired from Mr Johnson's office in 2000. This September, I had a phone call from a lawyer I had worked for before and he wanted to know if I would please come back and work. Quite frankly, I really feel that in your later years you've had a lot of experience, you've learned the things you shouldn't do and the things you should do, and sometimes you can bring a lot of wisdom to the position—

Mr Gravelle: One of the issues that has—

Ms Jarvis: Pardon me?

Mr Gravelle: I'm sorry, I apologize. One of the issues that has received a fair amount of attention in the last year or so particularly is the issue of racial profiling. Lincoln Alexander was appointed by the government to look at it in terms of some of the concerns here in Toronto. Are you familiar with that? Have you been following that issue and do you have any thoughts on it as well, whether or not you think it exists, whether there is a stereotyping in that regard and, if so, how you feel about it and what you think should be done in order to eradicate it?

Ms Jarvis: I can honestly say I don't have a lot of expertise in that area. I have kept track of it through television and radio. I do not think it should be happening. I live in Stratford and we don't have a lot of that there. I would have to read and learn about that and make some decisions after I had spent some time getting some information. So I can't give you that answer today, but I do not believe in prejudice of any kind.

Mr Gravelle: I think the Toronto Star in particular was making a major issue out of that, at least identifying it as a major issue. I'm just wondering if you followed that issue at all.

Ms Jarvis: Yes, I have followed it in the newspapers, but that's as much as I have done.

The Chair: That actually completes the time.

1120

Mr Gravelle: I thought I was right on the button, Mr Chair.

The Chair: We now move to Mr Martin.

Mr Martin: I really appreciate your being frank and honest in terms of your political affiliation and your involvement with members of government. I note that in 1995 and 1999 you were campaign chair for the sitting

member in the Ontario provincial election. We're told very clearly in our offices that we're not a political office; we're an office of government, and political activity is to be left to those who are more separate and partisan. Was that a problem for you in terms of maybe a conflict of interest or whatever, being campaign chair?

Ms Jarvis: I was not campaign chair; I was campaign office chair. I only managed the office; I was not Mr Johnson's campaign—

Mr Martin: You managed the—

Ms Jarvis: The office, the volunteers.

Mr Martin: The committee room?

Ms Jarvis: The committee room.

Mr Martin: You didn't see any difficulty?

Ms Jarvis: I've just done it all along. That's something that I had done, the same as belonging to the Anglican church for all these years. You know: I'd been there. I was asked to help and I helped.

Mr Martin: OK. In respect to your always belonging to the Anglican church and your mention of it in your resumé, there are a number of issues that the Human Rights Commission has to deal with on a regular basis that may have some ramifications for those of us who have religious affiliation. We have things we believe as practising members of a particular faith group and they're not always in sync with the pluralistic society that is out there and where we need to go if we're going to offer everybody equal opportunity and be respectful of differences and that kind of thing. In terms of the debate that's going on right now in society around the right of gay and lesbian people to be in relationships and to marry, what would your position be on that subject or that issue?

Ms Jarvis: That's something I'm still considering. I haven't read all of it and I'm not that involved in that end of it in the Anglican church. It has not come into our area. It is at the national level, but the national committee that I spoke to you about is not the national Anglican group that is looking at that. It's the bishops' committee that is doing that, so I'm not really that involved with it. It's very complicated and I could not give you an answer on that. I would not be prejudiced against them, but what is right and what is wrong, at this point, I—

Mr Martin: So if the bishops at some point, after having duly considered this, come down with a position as Anglicans, and you as a practising member of the Anglican faith on the commission were confronted with having to make a decision on somebody's behalf, how would you deal with that?

Ms Jarvis: Well, what the Anglican bishops would decide would not necessarily be what I would want. I'm on the council of churches in Stratford. I work with all of the denominations. We have a food bank at our church. Everyone is welcome at our church. I worked with NeighbourLink, where all the churches work together to help those people who cannot help themselves. Just because the Anglican church would make a decision does not mean I would agree with them. So I would not have a

prejudice in that way. Do you understand what I'm trying to say?

Mr Martin: Yes. I have to tell you that I struggle with some of the same issues, because I'm a very devout practising Roman Catholic. These are issues that are brewing and being debated and discussed. In discussions and decisions that I make, I find myself having to factor in all kinds of things. But you're being appointed to a commission that's going to have a very clear and direct say in whether people have their rights supported or defended or not.

The other issue that's one of some significant debate within faith groups and that again you may find challenging is the whole area of access to abortion. Is that something you've given any thought to, if something like that should come before the commission, and how you would deal with that?

Ms Jarvis: I have thought about it a great deal. I was on the board at our hospital many years ago and we had to make the decision as to how we were going to deal with that. I do really feel that it depends on the circumstances, if a woman's life is in danger, or the child's life. You have to take all the different circumstances into consideration; I find it very difficult to say one way or the other in that situation. I believe in the sanctity of life. I really do. To me you would have to take a look at the situations.

Mr Martin: Those are all my questions.

The Chair: That concludes the questioning from the members of the committee. Thank you for being with us.

Mr Mazzilli: On a point of order, Mr Chair: I know it's the top of the ninth inning and the bases are loaded, but in fairness of team sport, is pinch-hitting allowed in this game?

The Chair: We certainly have allowed it with all parties. I remember when Mr Gilchrist came in for an appointment of someone from his riding to the Ontario Environmental Review Tribunal. I knew you didn't object then so I knew you wouldn't object now.

Mr Mazzilli: You're a very fair umpire.

The Chair: Glad to hear that.

HOWARD WETSTON

Review of intended appointment, selected by official opposition party: Howard Wetston, intended appointee as member and chair, Ontario Energy Board.

The Chair: The next intended appointee is Howard I. Wetston, who is the intended appointee as a member of the Ontario Energy Board. Welcome to the committee, sir. I know you are aware that you have an opportunity to make an initial statement, if you desire to do so. Subsequent to that the questions will come from members of the committee, and we will be commencing with the official opposition when that starts.

Mr Wetston: I do have a short opening statement, if I may. I have a copy of it, if the clerk would like a copy. Perhaps I can present it afterwards if that's convenient.

I appreciate the opportunity to be here today to discuss my proposed appointment as the chair of the Ontario Energy Board. I am delighted to have been asked to undertake this important assignment. As you can see from my CV, which I hope you have a copy of, I've had a diverse career, and that career has primarily been in the public sector.

I've been involved in economic regulation at various times in my career. I was assistant general counsel at the National Energy Board during the unfortunate, ill-fated days of the national energy program. I was general counsel of the Canadian Transport Commission during the early days of the extensive deregulation initiatives, particularly in the airline and railway sectors. I came to understand the highly technical but critically important goals of economic regulation.

During that period I also became general counsel of the Consumers' Association of Canada in the early 1980s. You'll recall this was a period of considerable consumer activism in Canada and worldwide. The CAC, although it faced opposition, eventually was welcomed by regulatory agencies before which it intervened and influenced, in my opinion, important regulatory decisions and policies. I acted as counsel to the consumers' association in numerous hearings and I was the director of the regulated industries program.

In the late 1980s I became what is now known as the Commissioner of Competition. It was then called the Director of Investigation and Research. It's now located in Industry Canada. It used to be in Consumer and Corporate Affairs Canada. This was a period of considerable merger and acquisition activity in Canada, and the Competition Bureau had the responsibility for merger review and other areas of anti-competitive conduct under the Competition Act. It was a period of globalization. Deregulation and privatization and the impact of new technologies all served to enhance the role of competitive markets.

I came to appreciate the conditions of a competitive marketplace in comparison with regulation, which of necessity attempts to replicate the results of competition or correct its defects.

From 1993 to 1999 I was privileged to have been a judge of the Federal Court, Trial Division. I learned the importance of the rule of law. I acquired a knowledge of adjudication in conducting applications for judicial review as well as many trials. I learned to listen. Patience became an important factor. I tried to understand the issues and, most importantly, to be even-handed and fair.

1130

I carried this experience, I hope, to my present position as vice-chair of the Ontario Securities Commission, where I am involved in considerable hearing and policy work. Our primary goals at the OSC are investor protection and the efficiency of Ontario's capital markets. I am proud to be associated with the OSC under the leadership of David Brown and its highly motivated and capable staff. It is clearly a successful regulatory model worth duplicating.

In conclusion, the OEB faces many challenges: enhancing the efficiency of the tribunal; developing sound regulatory policies for today's energy markets, and the future of course; and most importantly, protecting Ontario's energy consumers. I feel my background is well suited to accept these challenges.

I appreciate the opportunity of making this opening statement. I look forward to your questions.

The Chair: We begin the questioning with the official opposition.

Mr Bryant: You are an esteemed constituent of the great riding of St Paul's, so I will be polite, but there will be no special treatment, of course. I'm sure you've had a number of people say to you, "What are you thinking of?" To go from the Ontario Securities Commission, where you're a vice-chair, to become the chair of the OEB may be like moving from the Bank of Montreal to the Trois-Rivières credit union, given the number of people that you are now going to preside over as chair.

The conventional wisdom is that the OEB just doesn't have the budget to be effective. What's going to happen to the budget under your leadership?

Mr Wetston: While I think it's a good question, it's not something I can comment on specifically without being in the mandate. There is no question, Mr Bryant, that one of the first things that we'll have to review is the resources of the OEB, both financial and human. I think, obviously, because it will be a self-funded crown corporation operating very much in a commercial model like the OSC, we're going to have to look very carefully at whether or not we have a sufficient budget to do the job. I think the simplest way I can put it is if we can work within the existing budget and work effectively, we'll do so; if we need to increase the budget, that may be the only thing we can do to achieve the levels of performance I think will be expected of the OEB.

So basically, I think the matter will require review and careful planning. As you know, budgets are meant to be utilized to fit the mandate and the goals of the OEB to achieve the results that are expected of it. So it has to fit the strategic planning exercise, the mandate and the objectives that it's there to serve. I think we'll review it and hopefully create a budget that makes the OEB an effective regulatory organization.

Mr Bryant: The self-financing model—how is that going to affect consumers?

Mr Wetston: My experience at the OSC in using a self-financing model is that it affects consumers positively. What it does, firstly, is that, while you can always say something is indirect versus direct, all the fees of the OSC come from industry. My expectation is that all of the fees will come from industry for the OEB. Now, somebody's got to pay for it, that's obviously the case, but I think in relative terms, when you look at the distribution of income associated with a self-financing model, you'll probably find that it affects consumers positively because what you get is an agency that is able to do its job. In the case of the OSC, it has increased enormously its enforcement function in protecting the capital markets. In the case of the OEB, it has to be

towards improving the efficiency of its tribunal operations, ensuring it has the resources to do the policy work to provide the advice to government if necessary. So I think they go hand in hand and I don't think consumers are in way adversely affected by a self-financing model. I think it's positive.

Mr Bryant: Just on that fairly narrow point—but it's one that's been raised by consumer groups—the past practice generally has been that those interveners before the Ontario Energy Board who don't have the resources of the industry have some of their expenses paid for by the Ontario Energy Board—

Mr Wetston: Cost awards.

Mr Bryant: Cost awards. Do you anticipate that kind of practice continuing?

Mr Wetston: I think so. I think it's very effective.

Mr Bryant: Switching gears again—sorry, time is short—retroactive decisions have become extremely controversial. The Premier went on a radio show to express his concern about that—and I'm going to have a question about independence later, so that's not my question right now.

I know under the bill, if passed, there would be a change in the way we would have retroactive decisions and how they would come forward. Retroactive decreases are popular; retroactive increases are not. Are we going to see no more retroactive decreases?

Mr Wetston: I think we have to do what the legislation tells us to do. That's the first thing. So if the legislation takes away the authority for any retroactive rate-making or decisions, then I think that's what we will do. I think being a lawyer, as you are, you understand the nature of retroactive decision-making in any capacity. I think for the most part one wants to avoid it. At the end of the day, sometimes it's your only policy choice. But I think if the legislation removes it, we will obviously be guided by what the legislation advises us with respect to retroactivity.

Mr Bryant: As this new timetable is being imposed by legislation, if passed, in the decision-making process, then due process concerns arise, if suddenly the opportunity for hearing both sides is somehow limited. How is that addressed?

Mr Wetston: In a retroactive setting?

Mr Bryant: Yes.

Mr Wetston: I don't think it's affected by the issue of how these hearings are conducted or if you have a hearing with respect to that matter. Basically, as an issue of retroactivity or any other significant issue comes up in the hearing context, the most important consideration is that those affected by it have to be heard. Then their views need to be considered as part of the decision-making process. So I think that's just part of the natural justice, fairness and responsibility of an adjudicative tribunal.

Mr Bryant: Moving over to that issue of independence, the Premier referred to the chair of the Ontario Energy Board as "that great socialist." The Premier, on a radio show said that he was "frustrated and annoyed" with the decisions of the OEB.

Mr Wetston: Speaking of myself as the great socialist?

Mr Bryant: No.

Mr Wetston: I wanted to hear the context.

Mr Bryant: It was the former chair, Mr Laughren.

What we often hear in the Legislature when we ask questions of the minister is that the Ontario Energy Board is an independent body and government cannot be interfering with it. There clearly was interference with these statements by the Premier. What I'd like you to talk about, as a former judge and in your incoming capacity, is the importance of independence and to what extent government interference or directives affect the ability of the Ontario Energy Board to operate effectively.

Mr Wetston: I think it's a really good question, and I mean that. I think it's a very important question to any regulatory tribunal. There is no tribunal in this country that doesn't face that issue. It's part of the administrative law; it's part of the machinery of government; it's part of our system, the way we have organized regulatory tribunals in Canada.

I think there's a bottom line, and to me it's this: if you are in a quasi-judicial role, there can be no interference with the decision-making process whatsoever. If there's a cabinet review, there's a procedure for that which is known in law, and the courts have dealt with it, which you're aware of.

If, however, it's a policy role, then I think obviously the government has as much responsibility to fashion policy in key sectors as an agency does with respect to its own responsibilities. So my sense of independence—and it's not abstract, because it's important, and it's critical to the way our regulatory bodies or agencies function—is that a regulatory tribunal must be seen to be able to do its job, to be able to deliver the mandate. So there has to be a certain amount of forbearance on the part of the government to let it do its job. That can only occur, I think, if two things are met, for the most part on the policy side. One, I think the agency has to have the right leadership, and I'm speaking of agencies generally, not the OEB. The second thing is that it has to have the resources. It has to have the ability and the capacity to do its job. You earn the respect, then, for the work you do, and then I believe governments say, "I think this agency is doing the best it can," and in giving us the advice we need to protect Ontario's energy consumers, investors or whatever else might be involved here.

1140

Mr Bryant: What reportage, if any, formally or informally, is there, to your understanding, between yourself and the Minister of Energy? What is the level of accountability, meeting, discussions and so on?

Mr Wetston: There obviously hasn't been any to date of any significance, except whether or not I would be interested in pursuing this position. Once I become—if I become; I don't want to propose that, obviously; this committee has to make that decision—the chair of the OEB, then obviously I will establish a relationship with the minister that will hopefully effectively allow the OEB

to discharge its responsibilities according to its mandate. The new legislation contemplates, as you've seen, a memorandum of understanding, a detailed one. We have one, similarly, with the Minister of Finance at the OSC. On a going-forward basis we will be able to then establish what our roles are, what our respective responsibilities are, so that we can achieve an outcome for Ontario that's positive.

Mr Bryant: Have you discussed this issue of independence with the minister directly?

Mr Wetston: No, not yet.

Mr Bryant: The last question I have, and then I'll hand over to Mr Conway, is—

Mr Wetston: Let me be clear. Obviously I'm not accustomed to being a witness, so I want to be clear in what I mean by that. I think you know what I mean by that.

Mr Bryant: I do. I'm not accustomed to being in this position with you either.

Mr Wetston: You're doing a very effective job. I think you should go back to counsel work.

When I say "in my discussions with the minister," of course I talked to the minister about the mandate of the OEB and its role, but to specifically discuss its independence, no.

Mr Bryant: OK. One consumer complaint about the Ontario Energy Board is that there was a lack of public education amidst enormous reforms to our energy system in Ontario. Can you talk a bit about the future of the OEB being, firstly, an advocate of consumers and, secondly, as a public educator of consumers?

Mr Wetston: The legislation, if it's passed, requires the OEB to take on a higher role for the education of Ontario's consumers. I think that's really critical. One of the first things I will try and do is really beef up our capacity to educate Ontario consumers about energy, whether it's electricity or gas. That's very critical, because I don't think you can ever have a successful conservation strategy if consumers really don't understand what it is that's going on in our markets. So we would have to beef that up. I don't have an idea yet as to how one would do that, but there is no question about that, that the education role is really important.

I learned that when I was general counsel to the consumers' association over 20 years ago, because we had to try and get government to be more transparent about issues of that sort. It's an important role, and I can really say that we'll have to pay some attention to that.

Mr Bryant: Just one last short question. Were there no discussions between yourself and the minister about beefing up the budget?

Mr Wetston: No, only in the sense that I think in our discussions the minister advised me that he was hoping to propose legislation that would revise the OEB. He made a speech to that effect several weeks ago, as you know, where he announced my decision to go forward with the potential chairmanship of the OEB. Of course we talked about budgets from the perspective of ensuring that we, as an independent agency and as a commercial corpor-

ation, should have the budgets we need to do our job. That was really the content.

Mr Bryant: Thank you very much.

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): Just one question. Thinking about the consumer in this and your experience at other regulatory agencies and, as you indicated, with the consumers' association, what do you have to say to Ontario electricity consumers today who hear the Provincial Auditor, among others, saying, "There's a problem. You, as consumers of electricity, are in the year 2002-03 paying 4.3 cents a kilowatt hour for power that's costing about six cents a kilowatt hour to produce"? The consumer is paying roughly 75% of the cost of the power he or she is consuming and the Provincial Auditor says, "Consumer, taxpayer, I'm worried that you're adding to a multi-billion-dollar debt." What, at this point, do you have to say to consumers about their liability, which may be growing, about debt and indebtedness on the basis of this 4.3% rate cap, which is obviously very popular with politicians—all of us?

Mr Wetston: That's another very good question, Mr Conway. You have more expertise in this area, obviously, given your experience with the subject.

Mr Conway: Flattery won't get you anywhere on this, sir.

Mr Wetston: I'm really not flattering you; I believe that, because I'm coming into this new mandate and have not been in it yet. I really need to study that issue and I will do that; I can tell you that.

I don't know what one can say to Ontario consumers about this. I think Ontario consumers probably have a good understanding, or some understanding, of this particular issue. Obviously the OEB has to look at it from a number of perspectives. The one thing that's clear is transparency. The OEB has to be very transparent in its consumer education function so that Ontario consumers really understand what it is and what's going on. That doesn't necessarily mean that I have a regulatory solution for that, but what it does mean is that, as part of the education function, we have to be studying regulatory solutions and understand that there are pluralistic issues at stake when it comes to the price and the impact otherwise on revenues. So I really have to say that I don't know yet, except that I certainly will pay some attention to it, and I'd be more than happy to discuss the matter with you once I get into the position.

Mr Conway: Thank you. You're coming; I'm leaving. So I wish you well in that important responsibility.

The Chair: We move to the third party.

Mr Martin: Good morning. You heard Mr Bryant speak of Mr Laughren and the comment of the Premier, the "great socialist" way of dissing him and taking away some of his credibility in the role. You've also, of course, like we all have, read of Eleanor Clitheroe's demise at her position and the obvious lack of understanding and respect for the job that she had to do by this government.

What's to give you any confidence that somewhere down the line, if you make a decision that is contrary or challenging of this government, they won't just do the same thing to you?

Mr Wetston: And what would that be, exactly?

Mr Martin: To diminish your—

Mr Wetston: Responsibilities?

Mr Martin: And also credibility in the eyes of the public out there as you make decisions and try to drive this very important regulatory organization at a time in our history when it is critical that we have a regulatory body that has all the credibility and power and resources that it needs to actually do the job.

Mr Wetston: I guess I could probably say that I'll have to deal with that situation if it occurs. I can't predict what might happen in that scenario. The only thing I could say, somewhat in relation to the response I gave before, is that the circumstances at the OEB are somewhat different. This is a regulatory body charged with a legislative mandate where I think everybody realizes there can be no perfect solution to any issue that it is confronted by. The best that one can do is do the best you can to arrive at a decision that's in the public interest.

I think a former OEB head, probably Mr Macaulay, at one time said, "I can't define the public interest, but I sure know it when I see it." I think that's the best I can do, is say I'll cross that bridge when I come to it. But if the leadership of the agency is there, if we have high-quality analysis, high-quality decision-making, I don't see why the government would need to go down that path.

Mr Martin: When you consider the success of regulatory bodies, in my view, over the last few years as we've moved to a regime of deregulation and privatization, to actually control costs and quality, reliability of service, etc, whether it's—you talked about being involved at the federal level when Air Canada was deregulated. There was a promise then that it would be more efficient, that it would be less expensive. We have Air Canada now on the ropes, and the price of air travel going through the roof. I mean, I pay close to \$1,000 a week to get back and forth from Sault Ste Marie on a little Dash 8, for God's sake. I could get to Europe twice for that kind of money. We have had the experience of the last year or two with the Ontario Securities Commission, where it seems private corporations run amok with things that they have said and done, with commitments that they're supposed to be making through their accountants that turn out to be untrue, information shared that doesn't—you know.

What gives you the confidence going into this particular appointment that in fact you will be any more successful with these big behemoths that are coming at us that want to take over the energy sector, that you'll be able to manage them in a way that will in fact give us better results than we've seen with Air Canada and with the securities commission? This is what the people in Sault Ste Marie are asking me.

1150

Mr Wetston: That is a good question.

Mr Martin: This is what they want to know, because they are scared silly of this whole thing. Wawa is on the precipice of just disappearing.

Mr Wetston: In what way?

Mr Martin: The price of energy for them, coming from a plant that they could throw a stone and hit, is driving businesses under. Yesterday, a clothing store closed. A week ago, a grocery store closed. Dubreuilville had to close down their operations up there. I mean, there just doesn't seem to be anybody able to or willing to grab this bull by the horns and wrestle it to the ground such that there is fairness any more in the system.

Mr Wetston: You know, you've covered a lot of areas in this question.

Mr Martin: Yes, I did. Sorry.

Mr Wetston: No, that's all right. They are obviously areas that you're thinking about and that are important to you. I mean, I could spend a lot of time talking to you about the deregulation of the airline industry. I don't think I would want to bore you with that. You could say that some of these exercises have been successful and others have not been successful. It's sometimes a matter of perspective, I must say. The reason I say that is that sometimes circumstances are outside the control of governments.

I'll give you an example if I may, since you've asked the question. In the airline industry, the governments really couldn't control the massive worldwide recession. Honestly, the governments could not control 9/11. These had enormous implications for the industry, and I'm not supporting it one way or the other. I'm just saying that there are other things that really affect how an industry functions.

I don't think I have to tell you, because you know, and know better than I do, what's affected the energy industry in Ontario over the last period of time and how some things outside the control of governments have affected the industry. I can't retrace the history of investment in the Ontario energy sector, because obviously that's not something that I have any expertise or knowledge with respect to, but I will say this: I think, and I really believe, since my role is that of a regulatory agency, that the best that we can do at any point in time is to respond to the multiple—and I mean multiple—configurations of support and opposition that exist at any point in time to something that we have to do. Our role is to balance it and to try and come to the best decision that we can, realizing that there are important stakeholder interests at issue.

From the perspective of this new bill that the minister is putting in, he really feels it is necessary for the OEB to take on a large consumer protection role, and we intend to do that. Hopefully through that process, your constituents will take some comfort in what we're doing.

Mr Martin: What will you be able to deliver? I guess that's the big question. What kind of confidence can we have? You're before us today and we're asking you questions so that we can determine in our mind and in our own heart and conscience, as we try to serve our constituents, whether we're making a good decision in your appointment. We want to know—

Mr Wetston: I might just respond, and I don't mean to interrupt. I go through the same process every time I

have to make a decision, and I've had to make many decisions.

Mr Martin: We see a province out there right now that is deeply concerned and anxious about this whole deregulation and privatization of our hydro, of our electricity, our energy market. We want to know—we need to know—if we're going to go down that road, and you know what our party's position is on that.

Mr Wetston: Of course.

Mr Martin: I would suggest to you, if you really want to get a good look at some of the history of hydro in Ontario, there is a good book out there right now called *Public Power*, written by Howard Hampton, that's getting some pretty good take-up and that would give you some understanding of where we're coming from.

The Chair: Is that the Howard Hampton we all know?

Mr Martin: That's him. The very same one.

The Chair: I just wanted to make sure it was the same one.

Mr Bryant: I think it's in the theology section of the local bookstore.

Interjection: I'm in trouble, then.

The Chair: I'm adding time to your questions as a result of my intervention. Don't worry.

Mr Martin: We need to be convinced that there is a regulatory body out there with somebody at the helm who has the trust and support of the government to actually do the job that you suggest the minister is saying you need to do, which is to protect the consumer. Because frankly, right now we have a community—I mentioned it a few minutes ago—in my area of the province called Wawa that has two or three hydroelectricity generating stations within a stone's throw of its boundary. They are charging fees that are exorbitant, I would suggest bordering on usury, to generate profit for Brascan, and driving that community to a point where it doesn't know if it has any future. You have hundreds of people up there who made investments in homes and small businesses who are now at the precipice of losing all of that, not knowing where they're going to go or what they're going to do.

What do I say to those folks when I go back tomorrow, if today I support the government in your appointment, that you are going to do that would give them any comfort that they will see some relief or at least some fairness brought back into the system?

Mr Wetston: I think my record of public service suggests that I have always attempted to work on behalf of the broader public good. I think the best I can say is that I will try and do the same in this position. I realize that the lifeblood of our society is not governments or regulatory agencies, but the people. They obviously have to feel that they're being dealt with fairly, honestly and openly, and that there is accountability on the part of the government in that process. That's the best that I can say.

I know the feeling, because while I live in Toronto, I come from Sydney, Nova Scotia. I lived there as a youth and my family lived there for 60 years, so I know what it's like to be living in a place and in a community that

feels like it's not getting the attention of government, or, if it's getting the attention, it's not the attention they want. So I'm very sympathetic to what they're saying. My life in public service, working on behalf of the public interest, is the best that I can say in answer to your question.

Mr Martin: OK. Maybe you can share with us, then, moving from the securities commission to this regulatory body, and with the fiasco that we've seen at that level over the last couple of years—

Mr Wetston: At the OSC?

Mr Martin: Well, in the whole area of regulating investments—

Mr Wetston: Oh, the securities markets. Right.

Mr Martin: —and that industry, where people in places like Wawa lost their investments that they thought would be there for them as they retired, to depend on as their pensions. How do we convince them that you, a person who exercised some leadership at that level—watching what happened over the last few years, a lot of it driven by bad decisions and in some instances criminal behaviour on the part of some of the leadership in some of those organizations, how do we convince ourselves and the folks out there that you'll be any more successful? What experience do you bring from there that you can apply at the energy board that will be helpful in giving us some comfort?

Mr Wetston: When I joined the OSC, I think there were 30 or 35 people in the enforcement branch. There are now over 80. I think the OSC has a state-of-the-art enforcement regime in place to deal with violations of securities laws. I think the securities industry is complex at best, from the point of view of attempting to ensure that those who are violating securities laws are removed from the capital markets and don't continue to put investments at risk on the part of investors.

1200

The first thing that you have to understand—and I know you do—is that investors invest to make money. The second thing is that there's always a risk, and not all of the loss of money can be attributed to violations or security flaws or corrupt members of the capital markets. In the event that the OSC comes across violations, I think in the last several years we have pursued them vigorously. But you're right: we can't get them all, and there's more than the OSC involved in the administration of this area of the law. There's the Investment Dealers Association, the Mutual Fund Dealers Association, because obviously the capital markets are complex.

The only thing that I can say is that the experience that I've had at the OSC, while different, because we have a very large enforcement mandate, which is not the same as the economic mandate of the OED, is to ensure that we've got the resources to do the job in areas that are required. If that means ensuring we have state-of-the-art analysts and people, I'm sure of which we have many now, who can understand the evolving issues in the energy markets and come up with policy recommendations to the government that are important not only for

investors, and I think you know what I mean, but consumers, that's what we're going to try and do.

Mr Martin: You're comfortable and confident that, given this position, and this government's intent to move forward with a deregulated, privatized generation and delivery of energy to consumers in Ontario, you can, in fact, protect the best interest of consumers?

Mr Wetston: I think the decision for privatization and deregulation is cabinet's decision; it's the government's decision. What I can tell you is that once the government makes a decision, we will function as a regulatory agency in the broad public interest, and I'm confident we'll do that.

The Chair: We now move the government caucus, Mr Wood.

Mr Wood: How long do you think it should take the OEB to make a regulatory decision from the time an application is made until a final decision is rendered?

Mr Wetston: It depends on the case, sir.

Mr Wood: Give me a range.

Mr Wetston: There is legislation now which suggests that a decision of the OEB and an order must be made within 60 days, and that's in the bill. That makes a lot of sense to me. But I think if you're sitting on a hearing for one year and you have hundreds of days of transcripts and technical evidence and experts, it may take considerably longer to make a decision. I need to study that as an issue and I need to come to grips with how long it has taken, the length of hearings, the degree of complexity in them and what I think would be a reasonable period of time in which to make a decision.

The one thing that happens in decisions, Mr Wood, that people don't often appreciate is that you often find a stumbling block, a difficult legal issue to deal with that takes time to figure out because obviously it's important to the parties. But I would say that if there's an efficiency problem with the OEB on this hearing process, that's something we need to look at.

Mr Wood: You wouldn't suggest that any problem would take a year to figure out the ins and outs of?

Mr Wetston: Take a year to figure out something?

Mr Wood: Do you think there's any problem that would take the board a year to figure out the ins and outs of?

Mr Wetston: No, I'm not saying it from that perspective; I'm just saying that sometimes evidence can get complex. It takes a long time to get through it. It takes a long time to analyze it. Sometimes it takes a long time to come to a decision on it because of its importance and its significance. I'm not trying to evade your question; I'm trying to say that it depends on the case, but I think what's really important is that there aren't any extraneous factors that affect the decision-making process. In other words, the board has to be productive and efficient and realize the importance of getting decisions out in a timely manner, so there shouldn't be anything extraneous to that.

Mr Wood: You would agree that justice delayed is justice denied.

Mr Wetston: I think for the most part that's the case. It's a problem in the courts too, sir.

Mr Wood: It certainly is.

Mr Mazzilli: Regulated businesses are certainly interesting, and I think about them very differently today than I did yesterday. Any regulated business—look at bank mergers. I thought they were a wonderful idea a few years ago, and I look at what happens today, where they're a semi-regulated business. Without the competition, they make the rules as they go along. Whether you're discharging a mortgage or whatever, it's like, "You pay us this much, we're not going to discharge. Sue us." The monopoly: you regulate them, you give them a bigger monopoly.

So that concerns me when it comes to energy. As a board, how can you ensure that you are making decisions on regulated profit, or increases, and that those companies are running their operation efficiently so that they're giving good service and value for what they're already getting for their product, and not just coming to the board for increases for their lack of running the companies properly? I just don't see the will or even the need to have to run it efficiently when you can just go to a regulatory body and make up anything on your deficiency side.

Mr Wetston: I think it's a good question. It's often said that, obviously, companies that are in the regulated sector like being regulated, and that's because they get a cost of capital and rate of return that's set by the agency. And as a result of that, why do you need to be efficient and productive, because you're going to get your rate of return anyway. But I think it's changed a lot today. Not all the aspects of a regulated business are regulated. There are components to this businesses that are not regulated. It's really their monopolistic services, their utility services, that are generally regulated.

The question is a good question because I think the regulator has a responsibility to ensure that the cost of capital or the rate of return that the agency is going to achieve takes into account all of these factors that you've listed. If the regulatory body is not doing that, then it's not doing its job. I think efficiency, the use of money, how it's operating, are all reflected in the company's rate of return, and also in the conditions of its operations, from the point of view of licensing or other conditions. I think that's the role of the regulator, and it's important that they keep all those factors in mind.

Mr Mazzilli: I appreciate that answer, which tells me it's a very complicated matter. It's one that I'm quickly changing my perspective of where I was a few years ago on the entire monopoly, and bigger is better, without opening competition. Thank you very much.

Mr Johnson: I have a question. I come from near Stratford. I want to set the stage. I have a problem with ideologic.

Mr Wetston: Ideology?

Mr Johnson: Yes. I grew up on a farm; the cows had to be fed. Incidentally, we used to sit there and hope the government didn't come any closer than possible.

I found out that the chair of the energy board regulates natural gas and electricity, and I kept learning a little bit more. But my mind said, "Bert, why don't they regulate gasoline and propane?" They're volatile, blah, blah, blah. It seems to me that the grouping should be a little broader and they should be brought in, or—I think in the future you'd have to add batteries and other sorts of things—or that you would decide at some point you should do the same thing with natural gas and electricity, that—I think it happened on its own with the gasoline and the propane, and that was it was privatized by itself because that's the way it was done in the era that came about.

The other situation is, sometimes I come down squarely on both sides of the fence because I am a great proponent of supply management within the farm sector, which is a regulation not unlike this in the overall energy thing. But I guess my question—and I'm sorry I'm not more articulate, but—

Mr Wetston: I think I'm getting your point, though.

1210

Mr Johnson: Yes. But I think I need advice on whether I should be going toward the privatization of the other energy sources or whether I should say, no, maybe we should look at going at it the other way and regulating some of those that aren't regulated. Do what you can. You are articulate, and I admire that.

Mr Wetston: Let me put it this way: the distribution of propane might be a utility-like function, but propane itself is a commodity with competition, although less so, I understand now, with the acquisition of Superior Propane in Ontario, and therefore does not need the benefit of a regulator to regulate the sale of that product; the same with gasoline.

There are those who would say, "I don't understand why all of these gasoline stations charge the same price for gasoline." The issue around there is one that has been studied so much, particularly by the federal government, but I'm sure by the provincial government as well. I dealt with the allegations at the Competition Bureau, and it's no secret that everyone thinks there's a conspiracy, price-fixing, in the gasoline industry. Time and time again, studies have demonstrated that the industry does not price-fix gasoline. What happens is that, unfortunately, it's an oligopoly and it suffers from the same old problem of parallel pricing, so that you set up a price across the street, you see the price, you put up the price, and it looks like a conspiracy but it's not a conspiracy.

The reason I'm saying this is because gasoline itself is also not a utility function and doesn't require a regulator to regulate the product. It's the provision or the sale of the product, because there's competition in the provision of it. To get the oil and gas to Ontario, which may come from the west by truck or pipeline, that's a regulated event, if I could put it that way.

So I think it's a very different kind of industry. I doubt very much if you would ever see competition in various sectors in the same way you see it in gasoline and propane.

Mr Johnson: You get a very high mark for helping me with this, but I'm not entirely satisfied and I will seek the advice of other very knowledgeable and articulate people. Sir, I admire your ability and the way that you explained yourself this morning. There are other people here who have experience in this. I'll call on Mr Conway or Mr Bradley or something as well before I make my final decision. But I thank you ever so much.

Mr Wetston: Thank you very much.

The Chair: The members of the committee have noticed that I have been flexible with the clock because I think this is an extremely important subject and we have a witness that it's a privilege to have before us today, sir.

Mr Wetston: Thank you, Mr Bradley.

The Chair: So if you've wondered, we usually confine people to 10 minutes per caucus and we subtract your time from the government time. But I think it would be good not to see the clock sometimes in this committee when it's a very interesting situation. We thank you very much for being with us, sir. You may step down now.

Mr Wetston: Thank you very much. I appreciate your questions.

The Chair: So the committee now moves to the business of appointments review. I will entertain motions. The first is Marie Trainer, intended appointee as member, Haldimand County Police Services Board.

Mr Wood: I move concurrence.

The Chair: Concurrence has been moved by Mr Wood. Any discussion? If not, all in favour? Opposed? The motion is carried.

The next intended appointee is Linda A. Franklin, intended appointee as member, Ontario Place Corp board of directors.

Mr Wood: I move concurrence.

The Chair: Concurrence has been moved by Mr Wood. Any discussion?

Mr Wettlaufer: Recorded vote.

The Chair: A recorded vote has been requested. Is there any discussion first? If not, we will have the recorded vote.

Ayes

Johnson, Mazzilli, Wettlaufer, Wood.

Nays

Dombrowsky, Gravelle, Martin.

The Chair: The motion is carried.

The next appointee is Vivian J. Jarvis, intended appointee as member, Ontario Human Rights Commission.

Mr Johnson: I'd like to move concurrence, please.

The Chair: Mr Johnson has moved concurrence. Is there any discussion? If not, I will call the vote. All in favour? Opposed? The motion is carried.

The next intended appointee is Howard I. Wetston, who is the intended appointee as member, Ontario Energy Board, and chair, Ontario Energy Board.

Mr Wood: I move concurrence.

The Chair: Concurrence has been moved by Mr Wood.

Mr Wettlaufer: Recorded vote, please.

The Chair: There has been a recorded vote requested. The motion of concurrence has been made by Mr Wood. Is there any discussion?

Mr Bryant: The official opposition, first and foremost when it comes to this appointment, is concerned with consumer protection. We don't believe that the government of the day ought to be able to hide behind exterior factors, Mother Nature or Mother Hydro. It is its job to build the contingencies to protect consumers in the event of those alleged unexpected occurrences. We believe that the Honourable Mr Wetston is in fact very qualified and is best prepared to take on this challenge. Many would say that he is engaging in a remarkable enterprise. I suppose we would say we will support you and, as they say, may the force be with you on this.

The Chair: Thank you very much, Mr Bryant.

Mr Conway: I want to just very briefly recommend to the committee the concurrence in support of this nominee, who obviously comes to this responsibility with a very, very powerful and, I think, impressive resumé. I was particularly struck by his testimony here today. It is, as my friend Bryant says, not going to be an easy job.

I want to just simply say that in making the recommendation—and I understand the political danger, particularly for those of you who will be here after the election—and some of us, by our own plan, are not intending to be here. I just want to say to the committee, but I also want to say to Judge Wetston, that I particularly like what he said about transparency, about consumer protection and about an honest and frank recognition of a very complex set of forces that are at play on an absolutely vital public interest, especially as it relates to electricity.

I remember being in this very room five years ago—and I'm not here to re-thrash old straw. I remember having this discussion about what kind of regulatory framework and what kind of regulatory people we needed. This is now 1998—the discussion around Bill 35, the Electricity Competition Act. We at the time had at the board a very highly regarded woman, Marie Roundling by name, who was the chair. There wasn't much said publicly, but I'll tell you one of the concerns that was around privately was, given the change in public policy that we were entering into, was the government and was the Legislature willing to invest the new energy board, with its new and much-expanded mandate, with the resources that it was going to require to be the kind of referee that we were all hoping for? We didn't do that, and I'm the first one to applaud the appointment of Floyd Laughren. I worked with Floyd for 20 years. I liked him a lot and had a tremendous regard for him.

So I just simply want to say we're now getting a second chance—you're now getting a second chance. It's hard for me to imagine a stronger candidate than Howard Wetston, because he brings the judicial, the consumer,

the OSC—all of that is a tremendous recommendation for this job.

I want to say to him, assuming he's going to be appointed, that I would hope, for those consumers in Wawa and Kitchener and Pembroke, that the kind of transparency he talks about is real and is seen to be real. The problem I have over the last four or five years is that many of the powers—in fact, I think almost all of the powers—the minister now wants to visit with the new act have in various forms been there before. We have just been reluctant as a Legislature—and the referee has been reluctant, I say to my friend Mazzilli, the police officer in the room—to make the call.

Think back to a few years ago when we had those electricity marketers around—many good ones, some absolute skunks and scoundrels—and the referee would not call the skunks and scoundrels for their outrageous misconduct. What happened? The whole damn thing and all of us were smeared in the process. Consumer protection, transparency, a recognition of complexity and no magical cures, as much as the theologians might like them—absolutely, all the right emphasis.

1220

I simply say to the judge and his panel, the OEB, don't be afraid to pull the trigger and make the tough call to send the right signal into the marketplace, that you're not going to tolerate almost predictable flagrant misconduct. I think my friend from Sault Ste Marie makes a very good point: there have just been too many people in Sidney and Wawa and Pembroke and Windsor and Kitchener looking and saying, "Why does this referee remind me of something from one of the those professional wrestling circuses? What would it take for the referee to make a call?" I'm very impressed, I'm very hopeful, and to some degree I'm sceptical because of the five years that have passed and all the trouble and difficulty we've experienced.

A very good nominee; I think he should be supported. As they say in the Ottawa Valley, the proof will be in the pudding. I'm hoping this pudding, under Cook Wetston's able leadership, is going to taste a lot better than some of the pudding that consumers have been served up in recent times.

Here endeth the reading.

The Chair: Thank you, Mr Conway.

Mr Martin: I'm going to take a different view. We're going to vote differently on this.

We obviously see this as a very, very important appointment, particularly considering the possibilities of anything happening after the next election and thereby a road being paved that many, many of us would prefer to not be on but that we may be on. We certainly need somebody in a regulatory capacity to take the bull by the horns and do the right thing, as Mr Conway has suggested will need to happen.

When I consider the deregulation and privatization of various sectors of our economy over the years and our attempt to regulate them, and the way that we have failed in that, both in the airline industry and in the securities business that Mr Wetston played a fairly important leadership role in, none of us will ever forget, I guess, or won't for a long time. I guess it's Enron that always comes up in our minds. We put out a paper a short time ago that basically said, "No more Enrons." Nortel, Bre-X: the list goes on and on of companies that took undue advantage of information and position to put at risk the livelihood of many ordinary working men and women across this province.

We're doing the same in the area of electricity. Electricity is just too valuable a commodity to be left to the whim of the market. Given the track record of regulating bodies in that environment, I have some real, sincere fears on my own behalf and on behalf of my constituents, and particularly on behalf of the people of Wawa right now, who are looking at the loss of their livelihood and their community. I don't think, given where Mr Wetston has been, that in fact he's going to be able to do the job at the Ontario Energy Board. We will be voting against this appointment.

The Chair: Seeing no other person wishing to speak, I will call the vote.

Mr Wettlaufer: Recorded vote.

Ayes

Dombrowsky, Gravelle, Johnson, Mazzilli,
Wettlaufer, Wood.

Nays

Martin.

The Chair: The motion is carried.

COMMITTEE BUSINESS

The Chair: The last item of business that I have for you is a discussion of next week. It appears that we have no appointees who are available for next week, so it may well be that we will not have a meeting next week. Either people have not been called or they happen not to be available. Some of the people who were called are not available. I will keep you posted on that.

Is there any further business for the committee? If not, I'll entertain a motion of adjournment.

Mr Wettlaufer: So moved.

The Chair: I'll let Mr Wettlaufer have it this time. Mr Wettlaufer moves adjournment. All in favour? Opposed? The motion is carried.

The committee adjourned at 1225.

CONTENTS

Wednesday 7 May 2003

Subcommittee reports	A-1
Intended appointments	A-1
Marie Trainer	A-1
Linda Franklin.....	A-5
Vivian Jarvis	A-10
Howard Wetston.....	A-13
Committee business	A-21

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Wayne Wettlaufer (Kitchener Centre / -Centre PC)

Mr Bob Wood (London West / -Ouest PC)

Also taking part / Autres participants et participantes

Mr Michael Bryant (St Paul's L)

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke L)

Clerk / Greffière

Ms Anne Stokes

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

A-2



A-2

ISSN 1180-4335

**Legislative Assembly
of Ontario**

Fourth Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Quatrième session, 37^e législature

**Official Report
of Debates
(Hansard)**

Wednesday 21 May 2003

**Journal
des débats
(Hansard)**

Mercredi 21 Mai 2003

**Standing committee on
government agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues



Chair: James J. Bradley
Clerk: Anne Stokes

Président : James J. Bradley
Greffière : Anne Stokes

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 21 May 2003

Mercredi 21 Mai 2003

The committee met at 1006 in room 151.

SUBCOMMITTEE REPORTS

The Vice-Chair (Mr Michael Gravelle): Good morning. Welcome to the standing committee on government agencies. We have some business before we review our appointment today. First of all, we have the report of the subcommittee on committee business dated Thursday, May 8, 2003.

Mr Bob Wood (London West): I move its adoption.

The Vice-Chair: Any discussion? All those in favour? Carried.

We also have a report of the subcommittee on committee business dated Thursday, May 15, 2003.

Mr Wood: I move its adoption.

The Vice-Chair: Any discussion? All those in favour? Carried.

We also have the need to seek an extension of a deadline for the review of intended appointees that were included in the certificate of April 25 for Julia Anne Shea. The original deadline was May 25 and the new deadline we're seeking is for June 24. Both of these are unavailable, one of them I think for medical reasons and the other one is not available: Julia Anne Shea, with the Toronto Grant Review Team, who was called forward, and Joe Li, with the Ontario SuperBuild Corp board of directors. We need to have someone request an extension.

Mr Wood: I would ask unanimous consent of the committee to extend the time for consideration of the two appointees just mentioned to June 24, 2003.

The Vice-Chair: Any discussion? All those in favour? Carried.

INTENDED APPOINTMENTS

ROBERT HUNTER

Review of intended appointment, selected by official opposition party: Robert Hunter, intended appointee as member, Assessment Review Board.

The Vice-Chair: We only have one appointment review today and that is Mr Robert Hunter, who is an intended appointee as member of the Assessment Review Board. Mr Hunter, if you could come forward. Good morning.

Mr Robert Hunter: Good morning, Mr Chair.

The Vice-Chair: You have an opportunity to say a few words before the questioning begins, if you please, and then we'll have questioning. We begin with the third party this morning, the NDP. So Mr Hunter, welcome, and feel free to proceed.

Mr Hunter: I do have some brief comments to make. My name is Robert Roy Hunter but I'm commonly known as Bob Hunter. I was born and raised in Brampton, Ontario, was educated and played all my sports in Brampton and I joined the assessment office originally in Brampton in 1962.

In 1963, we had a reassessment of assessments in Brampton. In 1965, the assessment function was taken over by the county of Peel, and we reassessed the whole county between 1965 and 1969 using the new department of municipal affairs manual. In 1970, as you know, the assessment function was assumed by the province and all assessments were frozen so we could have a reassessment throughout the province.

In 1973 I joined Marathon Realty, which is the development arm of the Canadian Pacific Railway, as their tax agent, and in 1975 I joined Gulf + Western as their national property tax agent. The bulk of their properties was the Famous Players theatres and Famous Players development corporation. In 1977, I added manager of sales and leasing to my assessment duty.

In 1982, I went into my own business as an assessment consultant. I got my real estate licence and my real estate broker's licence. In December 1991, I was selected to serve as alderman on city council for the city of Brampton. I served three consecutive terms, until November 30, 2000. I gave up my real estate licence and brokerage licence. However, I retained my assessment consultancy business throughout my council life.

Since my departure from municipal politics, I have not represented clients in any assessment or tax matters.

Mr Chairman, I currently sit on the Brampton committee of adjustment.

In conclusion, Mr Chairman—I want to be brief—I believe my experience as an assessor, a tax agent, a municipal city councillor and a member of the committee of adjustment qualifies me to be considered for this appointment. Thank you.

The Vice-Chair: Thank you very much, Mr Hunter. We will begin the questioning with the third party.

Mr Tony Martin (Sault Ste Marie): OK. I guess the first question I would like to ask is, given that you're a

fairly busy guy, why would you want this appointment at this particular point in your career?

Mr Hunter: When I retired from municipal politics, my wife became very ill. I lost her a year and a half ago and I haven't worked since then. It was the intention back then—I put my name forward as an ARB member, but we withdrew it because of my wife's illness. I'm ready to go back to work now. So that's why we put our name forward.

Mr Martin: You've obviously had a fairly lengthy career in the property tax area. Do you see in here where there might be any potential for you to have conflict of interest in actually taking on this responsibility?

Mr Hunter: No, sir. I haven't undertaken any new clients in a number of years. My work with the assessment has been through others: Mr Ed Ford-King of Kingmont Associates and Mr Dave Powell of Municipal Tax Equity. Mr Ford-King represents the industry, and Mr Powell represents the municipal school boards and municipalities. My work was done as a consultant to them, as opposed to my own. So I don't see it as a conflict at all.

Mr Martin: So what do you hope to achieve in taking on this job?

Mr Hunter: I have no goals to build or detract from anything. My goal is to stay in the business. My goal is to provide some fairness and equity to assessments for ratepayers.

I am sensitive, as you might guess, as you are, to your constituents, and it's to that I would address in a role as an ARB member to make sure of fair and equitable assessments for the taxpayer.

Mr Martin: You've mentioned the term "fair and equitable" a couple of times. Is there anything about the system as it now works that you see as not fair or equitable?

Mr Hunter: There are two functions to assessment. One is the assessment function, which is clearly the easiest part, to create and to discover a market value of any property. The second function of the assessment of tax is the actual taxation. Now that we have reassessment Ontario, it's the taxation that needs another look, if you will. I think the unfairness would be in the tax as opposed to in the assessment.

Mr Martin: OK. Do you have any particular political affiliation?

Mr Hunter: Yes, sir. I'm a member of the Progressive Conservative Party in Brampton Centre.

Mr Martin: And have you recently done any work for the sitting member for that constituency?

Mr Hunter: No, I've done no work as yet, but I have attended his open house for his new office.

Mr Martin: Did you work in his last campaign?

Mr Hunter: No, sir.

Mr Martin: OK. That's all the questions I have.

Mr Bert Johnson (Perth-Middlesex): I wanted to welcome you today. Thanks ever so much for making yourself available for this interview. It's not unlike any other job interview that you might have attended, and yet we tend sometimes to get a little more into the politics of

it, which you'll recognize, with your background and your knowledge.

I started out in insurance and branched out into real estate too. I notice that you have entered into a description on the second page of a resumé we have, and you say there are two ways of valuing real estate: one is the income approach and the other is the market approach, and there's a third way. I wondered if you could enlighten us on that one, please.

Mr Hunter: I am remiss if those are the only two I put down, because there are three approaches to value. One is the sales approach, as you know. I don't know how it was left off there, and I apologize that it was. There are three recognized approaches to value.

Mr Johnson: In assessment, you will come across those, I'm sure. I'm in a riding, for instance, that has the town of St Marys and a cement plant. I doubt that you're going to get enough from market analysis to do cement plants, and the income, if it's company owned and so on, is a little bit hard to come by. So you would do that third approach, I assume, for something like that: an arena, church and those sorts of things where you're not going to have enough—I admire you for letting your name stand for this. The province needs contributions from many people, not the least of which is an appointment on this very important board. I just want to say that I'm glad you have put your name forward and I like what I've heard from you so far.

Mr Wayne Wettlaufer (Kitchener Centre): You heard, of course, a couple of people comment so far this morning. I just wanted to say that in my business experience, I have always looked at what I consider to be the best qualifications of a candidate for a job. In looking at your qualifications here, my initial reaction was much like Mr Martin's: why would you want to do it? You're a municipal assessment and tax consultant. You've been a city councillor, chair of the economic development committee since 1994, and a member of the bylaw review standing committee. You were the chair of that committee from 1991 to 1997. You've been an agent with Municipal Tax Equity Inc, an assessment property tax consultant to municipalities and school boards, a real estate broker and an assessment and property tax manager for Canada for Gulf + Western (Canada) Ltd. You've worked as an assessor for the Corp of the Town of Brampton in the evolution of the assessment function in Ontario. You've graduated from Queen's assessors course, and on and on.

I think you're one of the best-qualified candidates I've ever seen for this position, and I congratulate you for it. I don't look at it from the standpoint of what conflict you might have. I know there's always the possibility of a conflict; that's the nature of a position like this. Certainly, having been in business, I realize that anybody with your qualifications is going to have some possibility of conflict. I guess all we could say at that point is that you would use your good judgment and abstain from any conflicting position.

I just want to say thank you for putting your name forward.

Mr Hunter: Thank you, sir.

The Vice-Chair: Anybody else? Mr Wood?

Mr Wood: We'll waive the balance of our time.

1020

The Vice-Chair: We'll move to the official opposition. Mrs Dombrowsky.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I would like to clarify, if I may: you were asked by Mr Martin with regard to how it is that you are an intended appointee for the Assessment Review Board. You indicated that you had been intended to be appointed previously, and that appointment was delayed for personal reasons. How did you originally come to be considered for this appointment?

Mr Hunter: I'm quite well aware of the people on the Assessment Review Board, and I have always believed, since the 1980s and 1990s, even when I was active in representing clients, that it was a job I thought I could do in semi-retirement or even retirement. I've reached that age but I don't want to be retired; I want to do something else. It was to that I was giving up my council seat. My wife was going to continue to work, so I was going to be at home doing whatever I did. Better than the rat race of finding and collecting new clients, or getting my old clients back, what I wanted to do was sit as an ARB member. It's to that I asked Mr Clement, whose father-in-law is a very good friend of mine—we grew up together.

Mrs Dombrowsky: Minister Clement, the Minister of Health?

Mr Hunter: Yes, his father-in-law. I asked him how I would get my name put forward and he volunteered to do it. That was back in 2000.

Mrs Dombrowsky: So you obviously have political connections. Have you ever run for political office other than for the city of Brampton?

Mr Hunter: No, unfortunately. I tried for the seat for the Alliance Party but I didn't get the nomination.

Mrs Dombrowsky: Oh, you tried to be the Alliance candidate and you were unsuccessful. Do you plan to seek election municipally this year?

Mr Hunter: No. I'm sorry, let me qualify that. I had my name forward. I put it forward on January 8, in the view that it's something else I can do in semi-retirement and I put my name forward. I don't know if it's going to be as active or if it's what I want to do. If I were successful here and had a successful run here, if you will, then I wouldn't be running.

Mrs Dombrowsky: Let me just clarify: you have filed your papers to run for council in the city of Brampton.

Mr Hunter: Yes.

Mrs Dombrowsky: So your name will be on the ballot?

Mr Hunter: No. You have until September 26 before your name gets on the ballot.

Mrs Dombrowsky: You indicate today that if are appointed to the Assessment Review Board, you would not—

Mr Hunter: Not today. What I was hoping to indicate was, if I find the workload—and I understand from Mr Johnson that the workload may not be there, that it may be something less than that.

Mrs Dombrowsky: Actually, did you receive the same background material that we've received on the Assessment Review Board? It does really speak to a significant workload.

Mr Hunter: Yes, it does. I'm hopeful that that's exactly what it will be.

Mrs Dombrowsky: That's really important information for me to have around your candidacy for this appointment. I think it is a significant commitment, and you've obviously indicated that you've filed your papers to run for city council. I do have some question about the commitment you would be able to provide to this appointment if you were successful in your bid to become a councillor in the city of Brampton. You've served in that role before, so I would suggest that you might be a strong candidate and there would be a very real possibility that you might be elected. I'm always concerned when we understand that people have very busy lives and other commitments and anything that might take away from their ability to fully commit to the role about which we're speaking today.

Unlike Mr Wettlaufer, I do want to talk about the potential for conflict in this role. In the background material that has been provided to us—maybe first I need to ask you: in your curriculum vitae you indicated that from December 2000 until now you've been self-employed as a municipal assessment and tax consultant. You continue to operate that business.

Mr Hunter: Yes, but as I indicated earlier, I didn't do anything. If somebody says, "What have you been doing for the last two years?" rather than say that I've retired out—I run my own business, that's what I do, but I haven't had any clients.

Mrs Dombrowsky: Could you please be more clear? Do you work or don't you? Do you run your business or don't you?

Mr Hunter: I run a business but I haven't done any business.

Mrs Dombrowsky: So you run a business as a tax consultant?

Mr Hunter: Yes.

Mrs Dombrowsky: Okay. We know in our background that many small businesses who would have an issue around assessment would hire a tax consultant to assist them in making their case at a hearing. So, you are on the board. You also own a tax consultant business. If I were a small business and I wanted to invest my consulting fees wisely, I would probably look for someone who would have considerable knowledge and understanding and maybe even some influence with that board. Can you appreciate the fact that your participation on the

Assessment Review Board could potentially have a very positive impact on your business?

Mr Hunter: I'd like to make it very, very clear that, effectively, when I'm told I have the ARB member's job, then I will not have a business. I will not be running any business. It's a proprietary business. If you're doing nothing and people come to you, you'll undertake to do whatever they want. But if I get told that I have this job, then I won't be even in a proprietary business.

Mrs Dombrowsky: Who told you that?

Mr Hunter: Who told me what? Sorry. I said that if somebody comes to me, and once I'm informed that the Assessment Review Board membership is available to me, that immediately terminates my consultancy. Is that clear?

Mrs Dombrowsky: Not really. You indicated that you were told you would not be able to—I mean, have you had some advice, given your business background, around this appointment, around any kind of limitation you would have in exercising your business functions?

Mr Hunter: No. I've not had any advice. I didn't seek advice. This is a job I want, and if this is the job that's made available to me, then the others cease to exist, in my view.

Mrs Dombrowsky: So we have your word that if you are appointed to the Assessment Review Board, your municipal assessment and tax consultant business would cease to exist?

Mr Hunter: Yes.

Mrs Dombrowsky: Is it incorporated?

Mr Hunter: No. It's proprietary.

Mrs Dombrowsky: OK. Have you—I'm having some problems with my—thank you very much, then. I hope you can appreciate why I am so very concerned.

Mr Hunter: Sitting where you are, I would have the same concerns, and I thank you for the question so we can get it on the table and out in the open. But I can assure you that pursuing this job as a member of the Assessment Review Board is a desire of mine, and that would exclude a number of other things I would plan to do if I didn't get this job.

Mrs Dombrowsky: Yes. Maybe if I could conclude and be clear with an understanding of what your intentions would be if you are appointed to this board, we're not sure whether you will continue to allow your name to stand as city councillor; you may or you may not.

Mr Hunter: There was a caveat to that, that if the role was truly part-time, as I've been told—and I understand the difference between part-time; there are only four full-timers—but if it's part-time, in that time spent only requires part-time, it would give me rise to think that I could do the two jobs. If I can't do the two jobs, the Assessment Review Board is the one I would choose.

Mrs Dombrowsky: Do you think that an appointment to the Assessment Review Board is going to in any way add to your credentials as you enter a municipal election?

Mr Hunter: No, that was not the intent. I don't think it would help.

Mrs Dombrowsky: OK. But we still have some question mark around whether or not you would pursue that role. Now the other part is that if you are appointed today, you would no longer continue your business practices as a municipal assessment and tax consultant, as you have described here in your curriculum vitae, something you've been doing since December 2000 until the present time.

Mr Hunter: Yes.

1030

Mrs Dombrowsky: For the public record, that would be your intention?

Mr Hunter: I can send you a letter in writing if you want. The answer is clear: I want to be a member of the Assessment Review Board. My business before was to have a business. If I get this appointment, then that ceases immediately.

Mrs Dombrowsky: Particularly given that your business was to assist people who would be making cases to the Assessment Review Board.

Mr Hunter: Absolutely.

The Vice-Chair: Thank you, Mrs Dombrowsky. You have used your time up.

Thank you very much, Mr Hunter. That completes the time allowed for questioning. This is the only interview of the day. We'll move immediately to concurrence.

Mr Wood: I move concurrence.

The Vice-Chair: Mr Wood has moved concurrence for the appointment of Mr Hunter, intended appointee as a member of the Assessment Review Board. Is there any discussion?

Mr Martin: I think this potential appointment is fraught with potential for conflict of interest in a number of different ways, so our caucus will not be supporting it.

The Vice-Chair: Any further discussion?

Mr Frank Mazzilli (London-Fanshawe): Just for the record, we often hear all kinds of reasons not to support appointments. Here we have a highly qualified individual for a part-time position. Quite frankly, some standards are used by even this committee. There are members of this Legislature on all sides elected here who carry on businesses, practise law and so on, and yet we expect a highly qualified individual appointed to a part-time position to cut off every other aspect of life. So I will be supporting this. I thank Mr Hunter for putting his name forward.

Mrs Dombrowsky: I would like to clarify. I believe there has been a suggestion that there is an expectation that people who are intended to be appointed to part-time roles cut off every other aspect of life. That certainly would not be my expectation. I do think we have a responsibility on this committee to be vigilant to ensure that people who are appointed to committees are not in positions of conflict. That is the role of this committee. So I think it's very important to make that clarification before the vote is taken.

Mr Wettlaufer: I would agree with Mrs Dombrowsky that we do have a responsibility to be vigilant. However, as committee members, we also have a role to ensure that

we have the best-qualified people at all times for every position. There is not a bogeyman around every corner, and I think, as members of this committee, we should stop looking for one. There are positions of conflict. There will always be positions of conflict. As I stated earlier to Mr Hunter, the applicant, it behooves the individual to use his or her judgment in order to ensure that he or she is not in that position of conflict or that he or she exercises proper judgment.

I really am astounded that a man with his qualifications would come forward to do this job, and I think it's absolutely fantastic that he would. It's a credit to him. I will support him.

Mr Mazzilli: Again, I just want to add my comments. Around this committee, we often hear about potential conflicts, if you will, that may or may not arise. Around this committee, we obviously have many people appointed to part-time positions on very important boards, quite frankly boards that people who are out making a livelihood could not serve on because they may be called two or three days a month. Certainly, when you get into the line of questioning of whether someone has filed intentions to run in a municipal election, what that has to do with serving on a board part-time—Mr Chair, your party has nominated more school trustees, more municipal councillors, sending out fundraising letters on municipal letterhead. You want to talk about conflicts? Nowhere did I hear Mrs Dombrowsky talk about those types of conflicts. I want to be clear. You want to judge people fairly. Certainly those things need to be brought up. There's always potential—and you know as well as I do that many of the school trustees and city councillors are using their present positions to enhance and further their political career. Should they be prevented from doing that? Perhaps you could give me an answer on that at some point, or the people of Ontario will.

The Vice-Chair: I feel tempted to respond, but of course that would be inappropriate as Chair.

Mrs Dombrowsky: What he said was inappropriate, so let's just take a vote.

The Vice-Chair: Any further discussion?

Mr Johnson: We do have a few minutes, and I just wanted to explain my understanding of a conflict of interest, for members Dombrowsky and Martin. It's usually interpreted as a pecuniary interest in something where you would have a conflict. I just wanted to point out not only to this committee but to Mr Hunter that I served six years as mayor of a town while owning and operating a real estate brokerage that had six offices, with one in the same town. I can't count the number of times—there were seven of us who sat around council—

but whenever a real estate issue came up, whether it was in committee or in camera in a council committee or in open council, I said, "Excuse me." The vice-chairman would take over, and I walked out. The six people could do nearly as good a job as the seven.

Mr Mazzilli: But never better.

Mr Johnson: Well, never better, but nearly as good. I just want to say that if people use their judgment in those things, then I don't think they will have a conflict. But where they have a pecuniary interest in anything, they should stand aside, notwithstanding that a lot of us in our positions now stand more chance of the perception of conflict than I ever felt in my position formerly. I'm sorry to take up the time, but I wanted to explain that. I request a recorded vote.

The Vice-Chair: All right.

Mrs Dombrowsky: I think it's important to clarify with respect to conflict and pecuniary interest. I think when an intended appointee operates a business for tax and assessment consulting and is intended to be appointed to the Assessment Review Board, that's a very different sort of conflict than a municipally elected representative has, with business arrangements that, from time to time, come to council. I think it's important to clarify my concern around conflict: it wasn't so much with respect to the potential that Mr Hunter may have as an elected representative in the municipality of Brampton but the fact that he owns and operates a tax assessment and consulting business—clients who would potentially be going to the Assessment Review Board. I think it's absolutely essential and I will never make any apology for pursuing that important consideration.

The Vice-Chair: We'll proceed to the vote, then.

Ayes

Johnson, Mazzilli, Wettlaufer, Wood.

Nays

Dombrowsky, Martin.

The Vice-Chair: The concurrence is carried. Mr Hunter is appointed to the position. All things being equal, we will be meeting here next Wednesday, the 28th. We will entertain a motion to adjourn.

Mr Wood: So moved.

The Vice-Chair: Mr Wood moves adjournment. All those in favour? We are adjourned.

The committee adjourned at 1039.

CONTENTS

Wednesday 21 May 2003

Intended appointments	A-23
Mr Robert Hunter	A-23

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Wayne Wettlaufer (Kitchener Centre / -Centre PC)

Mr Bob Wood (London West / -Ouest PC)

Clerk / Greffière

Ms Anne Stokes

Staff / Personnel

Mr Larry Johnston, research officer,

Mr David Pond, research officer,

Research and Information Services

A-3



A-3

ISSN 1180-4335

Legislative Assembly of Ontario

Fourth Session, 37th Parliament

Assemblée législative de l'Ontario

Quatrième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 4 June 2003

Journal des débats (Hansard)

Mercredi 4 juin 2003

Standing committee on
government agencies

Intended appointments

Comité permanent des
organismes gouvernementaux

Nominations prévues



Chair: James J. Bradley
Clerk: Anne Stokes

Président : James J. Bradley
Greffière : Anne Stokes

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 4 June 2003

Mercredi 4 juin 2003

The committee met at 1003 in room 151.

SUBCOMMITTEE REPORTS

The Chair (Mr James J. Bradley): I call the meeting of Wednesday, June 4, 2003, to order. The first item of business is the report of the subcommittee on committee business dated Thursday, May 22, 2003.

Mr Bob Wood (London West): I move its adoption.

The Chair: Mr Wood has moved its adoption. Any discussion? If not, all in favour? Opposed? Motion carried.

The second is the report of the subcommittee on committee business dated Thursday, May 29, 2003.

Mr Wood: I move its adoption.

The Chair: Mr Wood has moved its adoption. Any discussion? All in favour? Opposed? The motion is carried.

INTENDED APPOINTMENTS

JOE LI

Review of intended appointment, selected by official opposition party: Joe Li, intended appointee as member, Ontario SuperBuild Corp board of directors.

The Chair: We now move into our appointments review. The first selection is an intended appointee as member, Ontario SuperBuild Corp board of directors, Mr Joe Li. Mr Li, would you come forward, please. As you're probably aware, you have an opportunity to make an initial statement should you see fit. Subsequent to that, there will be questions from members of the committee. Welcome, sir.

Mr Joe Li: Thank you. Good morning, everyone. Mr Chairman, committee members, my name is Joe Li and I am honoured to have this opportunity of making this presentation for the purpose of my appointment as a board member of SuperBuild.

I have had a chance to review the 2003 progress report of SuperBuild and I understand that there are three objectives of the SuperBuild corporation: (1) to rationalize the way the government invests in public infrastructure; (2) to encourage private partnership with other entities—for example, the public and private sectors; and (3) to generate \$20 billion in public facilities in five years.

As of today, \$15 billion has been committed in about 4,000 projects. These projects include areas like high-

ways, hospitals, courthouses, the classroom, community centres, cultural attractions and long-term-care facilities, \$4.5 billion in health care, \$39 million in biotechnology, \$10 billion in highways and in public transit, and \$2.6 billion to prepare students for the global economy in partnership with colleges and universities. Also, SuperBuild has committed more than \$850 million in more than 600 community projects.

I understand that I am not an architect or an engineer and I am not a technical person, but I am an entrepreneur, currently running a financial consulting firm in Scarborough with a charter life underwriter and charter financial consultant designation. I have been in this business for 15 years. Prior to that, I had operated a successful restaurant business in Sweden. I also work as director of the Asian initiative for London Life Insurance Co. I was instrumental to the joint venture partnership business of Shin Fu Life Insurance Co in Taiwan.

Currently, I'm the executive director of the Chinese outreach committee for the Scarborough Hospital Foundation annual mid-autumn ball fundraising event. Last year our fundraising event netted approximately \$150,000, and the year before we raised approximately \$120,000.

I am a founding member of the Yin Hua Association of Ontario, serving most of the senior Chinese Canadians who came from India. I am also a board member of South Asians of Ontario, serving Canadians who came from India, Pakistan, Bangladesh and Sri Lanka.

I obviously speak my own language, Chinese, and English. I also speak Swedish—just enough to make a living. I'm a team player. I've had the pleasure of working with some of you in the past and I'm honoured to be considered for the opportunity to serve a larger community and participate with SuperBuild, given its importance in delivering public work projects to all Ontarians to improve services and infrastructure.

I will be pleased to answer your questions at this time.

The Chair: We begin with the Conservative Party, the government party.

1010

Mr Bert Johnson (Perth-Middlesex): I don't have a lot of questions to ask you, Mr Li, but I wanted to thank you for putting your name forward for a contribution to the province. There are a lot of different things that the province is involved in, in a leadership role. A lot of these boards and agencies that we, if you like, overview

the appointments to, are very important and they take dedicated people that are willing to give over and above what a person would think of as just another job. I was particularly impressed with some of the organizations that you have been involved in, the hospital board and things like that. I just wanted to say congratulations and thanks ever so much for putting your name forward to help out the province of Ontario through the SuperBuild.

Mr Li: Thank you.

Mr Wood: We'll waive the balance of our time.

The Chair: The government has waived the balance of its time, so we now commence questioning with the official opposition.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Good morning, Mr Li. Would you be able to explain for us this morning how it is you have come to be an intended appointee for the SuperBuild Corp?

Mr Li: In the past, because of my community involvement, I had an opportunity to check with Catherine Mustard. We are in a multicultural society now. I don't see a lot of visible minority people like me to sit on that government corporation.

Mrs Dombrowsky: To whom did you make the comment?

Mr Li: Catherine Mustard. I have checked with her, that if there were any positions available I would be interested. She came and let me know a couple of months ago that SuperBuild—which also handles hospitals, which I'm closely associated with, and the community work, which I am attached to wholeheartedly—may be a department I would like to serve.

Mrs Dombrowsky: How are you associated with the hospital?

Mr Li: I was with a Chinese outreach committee that primarily raised money for the Scarborough Hospital Foundation, which includes the Scarborough General and the Scarborough Grace, for the last six years.

Mrs Dombrowsky: So you indicated to Ms Mustard that you wanted to be on an agency, board or commission of the government because you were representative of an ethnic group?

Mr Li: Well, I would like to do anything to do with community.

Mrs Dombrowsky: All right. So what is your understanding of the chief role of the Ontario SuperBuild Corp?

Mr Li: I had a brief chance to read through the progress report. To my understanding, the government is looking for partnerships with private corporations in some areas for expansion of Ontario infrastructure systems. I know that there are a lot of areas to work, in like helping build more universities, hospitals, sewer system treatment and those kinds of projects.

Mrs Dombrowsky: You are aware that the role of the corporation is to advise the Minister of Finance?

Mr Li: Yes.

Mrs Dombrowsky: Have you received a copy of this document, Building Ontario's Future, that explains the Ontario SuperBuild initiative?

Mr Li: Yes, I just got a copy last week.

Mrs Dombrowsky: You received a copy. Quite a glitzy and rather expensive document, wouldn't you agree?

Mr Li: Well, I can't comment on the book, but I'm very impressed with all the projects that took place because of SuperBuild.

Mrs Dombrowsky: Do you have an opinion about the fact that taxpayers' dollars are used to produce this kind of self-promotional document?

Mr Li: I personally am not aware of all those things. All I'm impressed with is that when I read through this program I have a better understanding now of what SuperBuild is all about.

Mrs Dombrowsky: Mr Li, if I may, I really would like to understand if you have an opinion about the fact that hard-working taxpayers in Ontario have had to pay for this type of document to be distributed right across the province. Do you have an opinion about whether that's a good thing or not a good thing?

Mr Li: I can only comment personally because I think material like this is helpful. Quite frankly, prior to last week I didn't have a lot of general ideas about SuperBuild.

Mrs Dombrowsky: And what's the impression this kind of document leaves with you, then?

Mr Li: It came across to me that I was impressed with the projects involved with SuperBuild. If you asked me to comment about how much it cost to produce this document, quite frankly I am not aware of any of that.

Mrs Dombrowsky: I'm not asking you to speculate about the cost, but do you think it is appropriate that taxpayers' dollars are used to produce this kind of document?

Mr Li: All I can say and comment on is that I think this document is very useful to let Ontario know what kind of money was spent to help in infrastructure expansion. As I mentioned five minutes ago, I didn't have a lot of knowledge about SuperBuild until this booklet arrived in my hands. I'm starting to have a better understanding.

Mrs Dombrowsky: Would you describe it as being partisan in nature?

Mr Li: I don't see any party logo here, so I can't comment on that.

Mrs Dombrowsky: I'm not suggesting that it would necessarily have to have a party logo to be partisan, but the content of the document—obviously, you've read it. Do you think that it's partisan in nature?

Mr Li: I don't feel that way myself.

Mrs Dombrowsky: Have you yourself had any political experience?

Mr Li: I have run in the past.

Mrs Dombrowsky: You have run as a candidate?

Mr Li: In the past.

Mrs Dombrowsky: For what party?

Mr Li: For the Conservative Party.

Mrs Dombrowsky: In what riding?

Mr Li: Scarborough-Rouge River. That was a federal election.

Mrs Dombrowsky: Oh, I see. Are you a member of the provincial Progressive Conservative Party?

Mr Li: Yes.

Mrs Dombrowsky: At the present time?

Mr Li: Yes.

Mrs Dombrowsky: Are you on the executive of your association?

Mr Li: No, I am not on the executive. I resigned most of the positions last year.

Mrs Dombrowsky: You resigned most of the positions?

Mr Li: Yes, I was riding president last year and have resigned that position.

Mrs Dombrowsky: I see. So you're the immediate past president of your riding association?

Mr Li: That's correct.

Mrs Dombrowsky: Have you ever sought candidacy at the provincial level for the Progressive Conservative Party?

Mr Li: I can never say "never," but at this point my business is a priority to me. After discussions with my wife—you understand I have a young family with an eight-year-old daughter, and at this stage I am more focused on my business, which is still in the infancy stage, at five years old.

Mrs Dombrowsky: Have you ever run to be a candidate provincially in any riding?

Mr Li: No.

Mrs Dombrowsky: You have not. We have people sometimes who help us out with this information and I guess it must be a mistake, then, that I would have that you sought the nomination in the riding of Scarborough-Agincourt, to be a Tory candidate there.

Mr Li: I indicated that I was interested in running in Scarborough-Agincourt. That's where my office is located and that's where the hospital is that I've been associated with for the last six years. I would like to make some improvements for the community where I live. But because of my business—the lease is coming up within the next six months—I have to set my priorities. My lease is coming up at the end of December, so based on consultation with my family, with my wife and children, I withdraw my ambitions for the time being.

1020

Mrs Dombrowsky: I guess I do need to be clear, Mr Li. First you said that you had not sought the nomination for a political role provincially and then you said you were considering it. Yet the information I have is that you did look for the nomination. I guess, for the public record, if you would be able to be very clear: did you try to be a candidate in Scarborough-Agincourt?

Mr Li: I want to clarify—I thought the first question you asked was "Have you ever ran as a candidate?" I never ran as a candidate provincially. I did mention to you that I ran federally in 1997. Coming back to your

question, "Have you sought the nomination?" I have indicated that I'm interested to run in the Scarborough riding.

Mrs Dombrowsky: Has the candidate been nominated yet?

Mr Li: They've already been nominated.

Mrs Dombrowsky: And were you a part of that nomination?

Mr Li: No.

Mrs Dombrowsky: You were not.

Mr Li: No.

Mrs Dombrowsky: OK. You spoke about your interest, particularly relating to the health sector around hospitals and that you have had some previous volunteer involvement. Do you have an opinion about the Super-Build initiative involving P3s?

Mr Li: As I mentioned, I have had little chance to read through this program. Quite frankly, I will be very honest: I don't know much about SuperBuild. All I know is that they primarily try to help to build more hospitals, more universities, improving sewer systems, or building highways, and looking for some kind of partnership with the private sector.

Mrs Dombrowsky: Mr Li, I guess I'm just a little surprised that someone who would come to this role with an experience in a hospital association—and you have been provided with the same background that I have here in front of me, where I think there is a reasonably detailed accounting of the concept of P3s. I'm asking you, Mr Li, if you have an opinion. Do you think that this an appropriate way to pursue hospital infrastructure in the province? It is very controversial, and I really need to understand what your sense of it is.

Mr Li: I had the opportunity to visit China in 1998. Even though I look Chinese, I was not born in China; I was born in India and brought up in Sweden and in Scandinavia.

When I look at the way they have expanded—you know, that country doesn't have money to create any expansion. They look to foreign investors. I reflected back, four years later when I went back to Shanghai. Everything has changed substantially with big development. If a country like China—you know, the definition of communism is that you can't own anything, but now that's changing. They are trying to reflect the reality. Without the money, they won't be able to improve the standard of living with the greater population.

When I look back at Ontario here, at SuperBuild, looking for some areas for private partnerships, it may not be a bad idea. It doesn't mean that it works all the time. Some of the projects that I review here are pretty good.

The Chair: Your time has expired. I want to go to Mr Martin of the third party, please.

Mr Tony Martin (Sault Ste Marie): What I'd be interested in, having listened to your responses to the member of the official opposition, and you're indicating that you didn't know much about SuperBuild before you took this appointment and in considering the appoint-

ment, then what is it about SuperBuild that would make you want to play a role or participate if you didn't know much about it?

Mr Li: Because of my involvement in the community and also in the hospital, I see every year that we have difficulty raising money for the hospital. You can't depend on government alone. The last six years of my experience with raising money for the hospital makes me more aware that there's a need to build more hospital facilities so that waiting lines would be cut short.

With my appointment to SuperBuild, maybe I can give inside information to other board members about the hospital situation and also some of the community that I am especially involved with, the Chinese community that came from India—we're trying to have some kind of facility to provide some of our seniors with a gathering place. We don't have the money to do that. They come here, their children go to work and they have no place to go. They stay alone. I'm thinking about some kind of recreation centre that can attract them, to make them feel more at home in Canada.

Mr Martin: So you're in support of public-private partnerships?

Mr Li: In some cases I think it worked out well. You have to look at each and every case before you can comment.

Mr Martin: This organization is the primary vehicle that the government uses to do its capital investment. In my view, it's not about raising money; it's about spending public money and spending it in a responsible and accountable way to meet some of the capital requirements out there in various communities for water, sewer, hospitals etc. It's a very important function. It has actually taken all of the money that used to be out there in various ministries and put it in one pot, so that it can be centrally distributed and spent across the province—a really important undertaking by government.

I have a hard time understanding, first of all, why the government would want to appoint somebody who obviously has no knowledge or understanding of this and who hasn't made up their mind yet whether in fact we should be into public or private partnerships or if we should be building hospitals and our infrastructure across Ontario with public money so that it could be publicly accountable and those of us who have been elected can be held responsible. Does that not create a problem for you?

Mr Li: I don't think so because when I look at the board here, I think it's about time you had input from various communities. Today, according to the latest census, in Canada the Chinese community is the third largest after the English-speaking and the French-speaking, and yet look at Ontario: in every department I don't see any representation. To be very honest, I think it's about time the government looked into having people from visible minorities sitting on the board so that they can give some valuable advice to government.

That's the difficulty facing my own community: it's a struggle to arrive in a new country. It takes years and

years to establish yourself. In the end, you always have difficulty moving up either in business or in the workplace. I think because of my involvement in various communities, it would be an advantage to have people like me who know the struggle of new Canadians involved in the community.

1030

Coming back to your question about whether I agree with a partnership with a private company, you have to look at cases sometimes. I just mentioned not long ago about when I visited China. When you don't have enough money to try to improve the standard of living of your own people, you have to look at alternative sources for joint ventures. So sometimes those alternative sources could be a private company that can come forward to have a partnership with government.

Mr Martin: I don't disagree with you that we should be making sure that all of the public organizations and bodies reflect the multiethnic and multicultural nature of the society we live in now in Ontario. I have no problem with that. I do, though, have a problem with appointing somebody to this very important board, which spends literally billions of dollars on capital investments in the province, who doesn't have a better understanding and knowledge and experience of this at the table except for the fact that you carry a Conservative card in your pocket. That shouldn't be the only qualification that we look at.

This organization has obviously become a very politically charged vehicle for the government. The glossy insert that the member of the official opposition mentioned was obviously partisan, just by way of the colours that were used, the self-congratulatory nature of the pictures of ministers in it, etc—a very expensive, politically charged vehicle for the government. You can't drive anywhere any more across Ontario but you see great big signs on highways, "SuperBuild," with the Premier's picture and name on them. We're concerned here that the government is taking something that we've always done as public servants, to help build up the capital infrastructure of the province, and is now using it for its own political purposes. So I guess it concerns me.

I agree with you that we need to be appointing people of different ethnic origin to these bodies. But to make the actual choice based on the fact that you're a card-carrying member of their party and therefore probably more likely to support some of this very politically partisan expenditure—in fact, those of us who represent communities know that that money is not being spent on capital projects; for example, the northern Ontario heritage fund. We found out last week, because they tabled their annual report, that they had \$214 million sitting in that account at the end of fiscal year 2000-01. At the end of fiscal year 2001-02, they had \$240 million sitting in that fund that isn't being spent out there. But you can be sure that they're putting out all these glossy documents and they are putting their pictures on various and sundry vehicles out there to capture as much political benefit as possible as we go forward.

The other question that I wanted to ask you was, given your background in financial investment and financial advice to people and your support of public-private partnerships, do you not see the potential here for conflict of interest for you in this?

Mr Li: I want to come back to the first one, when you said that because I'm a card-carrying member I may be biased or whatever. As I say, I always look case by case. I will just give you an example. In the year 2001 at a fundraising event for the Scarborough Hospital Foundation, I invited the Liberal leader, Mr Dalton McGuinty, to be our guest speaker. He was very surprised, being a Conservative, why I would have the courage to invite him. I said, "Because hospitals have nothing to do with politics. We will have the pleasure to have you this year as our guest speaker so that every political party has a chance to come and address us and they can see for themselves the need and the environment of the hospitals issue." So I'm not biased. Just because I'm a card-carrying member doesn't prevent me from inviting maybe even your honourable member to come to our fundraising event. Over the years, we have always invited different parties to come and take a look at what we do and also to help them understand the difficulties we are facing in the community in the area we are involved with.

I would like to conclude by saying that being a financial adviser, when you talk to clients you sometimes make tough choices, like when a client comes to me and says, "Do you think this is a good investment that I should go to?" I can only give my advice based on the client's situation, but the decision is still with the client.

So with the appointment on the SuperBuild, I may have some personal opinions. I may sometimes differ with other board members. Just because I'm a card-carrying member doesn't mean that I will always have the same position taken by other board members. I'm a very strong person. I know at the time, on an issue-by-issue basis, I would like to do what is best for the people of Ontario.

Mr Martin: Well, I—

The Chair: Sorry, Mr Martin. You won't believe this, but you're out of time. I hate to break the hearts of all the members of this committee, because we just start getting into good questions, as I know. I thank you very much for your questions.

You may step down, sir.

DOROTHY ANGEL

Review of intended appointment, selected by official opposition party: Dorothy Angel, intended appointee as member, Council of the College of Respiratory Therapists of Ontario.

The Chair: Our next intended appointee is Dorothy Angel. She is an intended appointee for the position of Council of the College of Respiratory Therapists of Ontario. Please come forward. Welcome to the committee. I think you're aware that you have an opportunity

to make an initial statement if you see fit, and then there will be questions from members of the committee.

Mrs Dorothy Angel: Good morning, Mr Chair and members of the standing committee. Thank you for this opportunity to appear before you concerning my intended appointment as a public member of the Council of the College of Respiratory Therapists of Ontario.

I have lived in Kitchener all my adult life with my husband, Tom, a recently retired accountant. We are the parents of three children: Wendy, a commercial artist; Siobhan, a bank manager; and Terri, a high school teacher who works with students in a Destination Employment program. We are also the proud grandparents of three girls and two boys.

I own and operate a small business, Angel Business Services, which has provided paralegal services to the legal community in Waterloo region for the last 11 years. Over the past 30 years, my work experience has been gained primarily in the areas of education and law.

In the past, I have instructed students at Conestoga College of Applied Arts and Technology and I have worked for Waterloo Management Education Centre, a business which offers educational programming to small and large employers across Canada.

In 1984, I returned to the University of Waterloo as a full-time mature student, and later to Wilfrid Laurier University to complete studies focusing on economics and business administration.

I was successfully elected as school board trustee in four successive municipal elections in Kitchener during the late 1980s and all of the 1990s. During that time, I chaired the Waterloo Catholic District School Board for two terms and chaired many committees. I worked closely with community and government leaders of all political backgrounds at the municipal, provincial and federal levels.

10-40

Because I live and work in such a dynamic educational area in the province of Ontario, I am grateful to learn and benefit from working on committees with leaders in the public and Catholic school boards, the University of Waterloo, Wilfrid Laurier University and Conestoga College.

In June 2002, my appointment as a public council member at the College of Physiotherapists of Ontario expired after six exciting and challenging years of service in a self-regulated college in Ontario. I am hopeful that the experience I gained in those six years will give me a solid understanding of effective governance in yet another health regulatory college in Ontario.

I am particularly drawn to serving as a public member of council at the College of Respiratory Therapists of Ontario because of a personal family experience in a birth and near-death-threatening situation. My granddaughter, Madeleine, was born at Grand River Hospital in Kitchener in an extremely stressed state. Her Apgar reading was only one out of a possible 10, her vital signs were virtually nonexistent and she was not breathing. Immediately, a team of medical experts worked to keep

Madeleine alive, and the respiratory therapist on the medical team was integral in the successful outcome of Madeleine's breathing. Immediately, a team accompanied Madeleine in her transfer by ambulance to the neonatal unit at McMaster University Hospital in Hamilton for a two-week stay. Part of that team was a respiratory therapist. I am happy to report that Madeleine is a healthy kindergarten student today.

Over the years, I have volunteered in many ways in our communities—as a board member, worker, canvasser and fundraiser—wherever I could give my time and skills. More recently, my interests lean toward supporting research efforts for multiple sclerosis, since my daughter Wendy was diagnosed with MS two years ago.

I am an active member of my church community, serving as chair of the finance committee, and our church is presently participating in a project with Habitat for Humanity by bringing together a large number of volunteers to build a family home, set for the second week of July this year.

At a very basic but very important level, I volunteer at my granddaughter's school one afternoon a week to assist in an all-star reading program for students with reading difficulties in grades 1, 2 and 3.

I have shared with you a thumbnail sketch of my past life experiences which I hope will assist you in your deliberations concerning my intended appointment to the College of Respiratory Therapists of Ontario.

The Chair: Thank you very much. We'll begin with the official opposition.

Mr Michael Gravelle (Thunder Bay-Superior North): Good morning, Ms Angel. We are certainly always interested as to how the appointment comes about. You've made some reference to a previous position you held with the physiotherapy association or council. Can you tell us, in terms of your nomination to this, how it came about? Did you campaign to specifically be on this council of respiratory therapists?

Mrs Angel: I did not campaign specifically for this College of Respiratory Therapists, to serve on the council, but I did let my name stand if there was a position available with the health regulatory colleges. I do have a particular interest in health in the province of Ontario, and certainly our health care system is one of the best in the world. I was very happy to serve at the College of Physiotherapists of Ontario, and hopefully I can continue with the knowledge and skills I learned there and transfer that over to the intended appointment to council.

Mr Gravelle: So whom did you speak to in terms of the nomination? Was there a member of the Legislature who put your name forward in terms of the—

Mrs Angel: I did go through our local member's office and left my name there and requested that I would be interested in joining another health board regulatory college in Ontario.

Mr Gravelle: May I ask you who your local member was?

Mrs Angel: My local member was the Honourable Elizabeth Witmer.

Mr Gravelle: Have you had an association with Mrs Witmer in a political sense as well? Have you been associated with any political party in the past or present?

Mrs Angel: Yes, in the past I've been a member of the PC Party and currently I am a member of the local riding PC association. Concerning my association with the Honourable Elizabeth Witmer, I first met Mrs Witmer while she was a trustee at the public school board in my area, while I was a separate school board trustee. We had many connections at that point through the school board association.

Mr Gravelle: Have you ever been more actively involved in politics yourself as well? Have you previously run for any position?

Mrs Angel: Yes, many, many years ago, in 1987, I ran in the provincial election for the province of Ontario. I did run for the Progressive Conservative Party.

Mr Gravelle: Certainly there are many questions we could ask you related to educational issues in terms of your experience with that. Perhaps my colleague may want to ask you about that, but I just want to ask you about this specific council.

I presume you've done some research in terms of some of the issues related to respiratory therapy in the province. There has been some high degree of tension, I think is probably an accurate way to describe it, between the members of the profession and the council. Are you familiar with some of those issues that have been out there and have actually gone to mediation?

Mrs Angel: Yes, concerning the mediation, I do have some background information that was provided to me, but also I have searched the Web site for the College of Respiratory Therapists of Ontario to update myself on the most recent happenings in the mediation. I am familiar with a number of those items. I know that the mediation has been going on since 2001 and is nearing an end, I understand. Most of the issues on the table have been cleared up. I know that the parties are committed to making a resolution in that way.

Mr Gravelle: As you know, the whole issue of the implementation of the quality assurance program and the core competency examination was one that the therapists felt very strongly about. I know that's since been withdrawn.

One of that issues that interests me is the concerns that the public members of the council have treated with some rudeness, discourteous behaviour, stuff like that. Are you familiar with some of those issues and what they are talking about?

Mrs Angel: I am familiar only with what I have read and learned through the Web site. It's very unfortunate that any member of council, whether that person be public or a professional member would behave in such a way. I have been a professional person working for years in Ontario, and I would never behave that way. Certainly there must be measures put in place that people would have self-respect and dignity for other points of view and treat others the way you would like to be treated yourself.

Mr Gravelle: In light of the personal experience that you've also told about us, related to your granddaughter,

which is a nice story, ultimately, I would think that would shock you as well, because it seems to be a rather unusual thing to have that kind of a problem existing. I just wanted to know how familiar you were with some of the issues that made this happen.

Mrs Angel: Made the issue of—

Mr Gravelle: The problem being with the public members specifically, in terms of the respiratory therapists being in a position where they felt they were not being treated in a professional or respectful manner.

Mrs Angel: I cannot speak for those public members, obviously. I don't know all the issues would go on in the board meetings. I did not have privy to those conversations. Certainly the public members are an integral part of every council, and under the Regulated Health Professions Act that is one of the most endearing parts of that legislation, because it keeps the council open and transparent and provides some objectivity and accountability to the council. In my opinion, I would think that respiratory therapists, the professional members, would welcome the opinions and points of view of public members who are non-professionals in their field, not experts but certainly could bring a degree of quality, accountability and a point of view to the council.

1050

Mrs Dombrowsky: Good morning, Mrs Angel. You indicated that at the present time you have a role with your local Progressive Conservative riding association. What role would you have with that association at the present time?

Mrs Angel: The only role I have is as a member. I am not active at all.

Mrs Dombrowsky: I see. You're not a member of the executive.

Mrs Angel: No.

Mrs Dombrowsky: I'm sorry, I misunderstood. Your previous experience as a member of a regulatory college: can you remind me again of the college you were involved with?

Mrs Angel: The college that I was appointed to for six years was the College of Physiotherapists of Ontario.

Mrs Dombrowsky: Is there a testing mechanism within that college for its members?

Mrs Angel: Yes, there is a testing mechanism. There is an entry-to-practice exam and there are a couple of components. One is the multiple-choice competency kind of exam and the other is the OSCE, which is simulated scenarios of what might happen in a particular instance at a hospital.

Mrs Dombrowsky: Is that a part of the entrance or is that—

Mrs Angel: That is part of the entrance, yes.

Mrs Dombrowsky: Are you in favour of teacher testing?

Mrs Angel: Teacher testing being for physiotherapists?

Mrs Dombrowsky: No, for elementary and secondary school teachers in the form that it is being undertaken now.

Mr Frank Mazzilli (London-Fanshawe): On a point of order, Mr Chair: I believe we are dealing with the College of Respiratory Therapists. Certainly we can ask people's views about the stock market, I guess, if we wanted to. But I don't think there's any onus on the person before the committee to answer a question like that.

The Chair: Mr Mazzilli, I'll leave it up to the guest at the committee today whether she wishes to answer those questions. We try to keep it as flexible as possible. I'd like to leave it up to the guests. They can answer in any way they see fit. Thank you for your intervention.

Mr Mazzilli: That would be fair.

Mrs Angel: I really have no opinion on teacher testing, particularly because I have a daughter who is a teacher and I think that my opinions maybe should be kept to myself.

Mrs Dombrowsky: Would you have an opinion about testing for respiratory therapists?

Mrs Angel: Yes, I would have an opinion about testing for respiratory therapists. Currently I know that the core competency for testing has been abandoned at the College of Respiratory Therapists because the profession thought that the questions in the exam were far too elementary and far too entry-to-practice kinds of questions and really served little value in their real competencies. So I know that has been dropped.

However, I do know that there are other ways of testing, and I am familiar with testing by peer review or by interview, not unlike me here today. There are many other ways that you could test; it does not have to be in the written form or through OSCE. There are other ways of testing and finding out the competencies of respiratory therapists.

The Chair: The time has expired, Mrs Dombrowsky. I hate to break the news to you, but there we are.

Mr Gravelle: Are you sure?

The Chair: I am absolutely certain, Mr Gravelle. I know you always wonder because you're always into some interesting questions. I now move to Mr Martin.

Mr Martin: Maybe you've already answered this, but I need to hear it again. You're obviously a person of some significant experience and background in education, as a trustee and owner-operator of your own business, which probably keeps you quite busy. Why this particular college? What do you think you could bring or what is it that you want to bring to it that would be of such value that you would want to spend the time doing that?

Mrs Angel: Certainly I am very willing to spend the time at the College of Respiratory Therapists of Ontario because I have a strong commitment to community involvement. That is one of the strong ethics in my family background and something that I believe in. My husband and I have always inspired our children to do the same.

This community has been very good to our family and I would like to volunteer my services, and hopefully I can

do that at the College of Respiratory Therapists of Ontario.

Also, the skills and knowledge I have learned at the College of Physiotherapists of Ontario are very important, I believe, in transferring over to the College of Respiratory Therapists. As I mentioned in my opening statement, we did have a very personal relationship with a respiratory therapist during the birth of our granddaughter, and I am forever grateful to that person for keeping my granddaughter alive. So I feel I could offer my services, and I would be very, very happy to do that and give my time to that.

My business is my own and I can choose to work as long as I wish or as few hours I choose. I would like to volunteer my services to the College of Respiratory Therapists of Ontario.

Mr Martin: Is there anything besides your own experience with the respiratory therapist for your daughter and the fact that you thought you might be able to bring some of what you learned at the College of Physiotherapists? Was there anything else, as you looked at this particular appointment, that you thought you could bring to that position?

Mrs Angel: Certainly in the current climate with the SARS outbreak here in Ontario, I admire our health care professionals in a way that I have never before. The College of Respiratory Therapists is very involved, and the local profession, in performing their services in the communities at large in Ontario, particularly in the greater Toronto area. I have a commitment to bring my skills and knowledge to that college, and you can be guaranteed that I will work hard and diligently to that end.

Mr Martin: Did you look at any other possible appointments when you went to see if there was something you could do?

Mrs Angel: Some other appointments were mentioned that may be available, but this is the one that was available when I was interested, so I let my name stand for this one.

The Chair: Now the government.

Mr Wayne Wettlaufer (Kitchener Centre): Morning, Dorothy.

Mrs Angel: Morning.

Mr Wettlaufer: I'm going to make it clear right from the outset that I've known Dorothy and her husband for 30 years. I worked with her husband 30 years ago at an insurance company. I have known them to be two of the most upstanding members of our community. I think I knew them both before I realized that they were interested in politics.

I want to say from the outset, Dorothy, that I have never heard a bad word uttered by anyone in our community about your performance in any of the various activities or community associations in which you have been interested. All I have ever heard were praise and thanks for your volunteer activities.

The years you served as a trustee on the board of education were marked with some big changes, and the

board at that time met them all. I know from things I have heard that it was in part due to your leadership.

You preceded me as a director of the Catholic Family Counselling Centre, but again, all the comments I ever heard there when I was on the board were that you had done such a wonderful job.

It's very seldom, Chair, and members of the committee, that someone with Dorothy's qualifications and abilities comes before this committee, somebody who has been so involved in the community and yet hasn't made any enemies—and she hasn't made any enemies.

I really want to take this opportunity to recommend her highly for this appointment. Thank you, Dorothy.

1100

Mr Wood: We'll waive the balance of our time.

The Chair: Thank you very much. You may step down. Thank you for being with us today.

Mrs Angel: Thank you, Mr Chair.

The Chair: We will now move into the appointments review. The first appointment is Joe Li, intended appointee as member, Ontario SuperBuild Corp board of directors.

Mr Wood: I move concurrence.

The Chair: Any discussion?

Mr Martin: In this intended appointment, I have some real difficulty in that Mr Li—as I said in my questioning, this is a really important vehicle of this government used in a myriad of ways, primarily to promote their own political ends. But it also has the responsibility for making decisions about investments of capital dollars. All of the capital money that this government spends now flows through this very centrally connected and politically charged organization.

This intended appointee came before us today with little or no knowledge of the board or its operations, or why it operates or what any of the underlying fundamental principles were. I have no difficulty with the fact that he thinks—and I believe we should appoint people of different ethnic backgrounds and origins to all kinds of boards and agencies of government across the province; I think that behooves us, and enriches us all. But to simply have that as the only qualification for his appointment, and he mentioned that on a number of occasions in his responses, is not enough for me, so I will not be supporting this appointment.

The other thing that concerns me about the appointment is his professional activities advising investors and his obvious support for public-private partnerships, and the access that he will have as a member of this board to a ton of information that he could—and I'm not suggesting that he might—conceivably share with potential clients or clients. It just sets up a potential for a conflict of interest that I don't think we should be taking that kind of risk on.

Also, there's not only the information but the contacts that he will have within the system itself as he, as a board member, gets to know those folks, gets to work with them and gets to go out across the province to talk to various and sundry responsible individuals involved in making these very lucrative and expensive investments.

I think there's conflict-of-interest potential all over the place here and I don't think Mr Li came particularly prepared this morning to answer some of the questions that we were wanting to put before him. So I just can't see how we can support this appointment this morning.

Mrs Dombrowsky: Sadly, I will be unable to support this intended appointee. I believe that the Ontario Super-Build fund manages a significant amount of capital and oversees very important infrastructure investments across the province. I was most disappointed with Mr Li's lack of information and understanding. We're talking about a corporation that manages \$15 billion worth of capital investments. While I appreciate the point that he would make in terms of ensuring that there is balanced representation on government agencies, boards and commissions—balanced from the perspective of cultural diversity, and I wholeheartedly support that—I think that representation must also bring with it some background, understanding and expertise in an area that manages a significantly large number of taxpayer dollars. I certainly did not get that assurance from the statements that were provided to me this morning by the appointee.

The Chair: The motion has been put forward by Mr Wood.

All in favour? Opposed? The motion is carried.

The next intended appointee is Dorothy Angel, intended appointee as a member of the Council of the College of Respiratory Therapists of Ontario.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Any comments?

Mr Martin: Just to say that I will be supporting this appointment and to let it be known that I'm not letting the fact that she is a card-carrying member of the

Conservative Party get in the way of my supporting this appointment, because that's often the accusation that's thrown across the floor here, that we will not support anybody of a Tory colour, and that's not the case. We look at each person who comes before us as to their qualifications and their suitability for particular appointments. It's interesting to note that most, if not all, of them are card-carrying Conservative members who come before us here. There seems to be a big push on, lately particularly, to have every living, breathing Conservative appointed to whatever agency, board or commission is out there. But in this instance, I think we have a good appointment, so I'll support that.

Mr Johnson: I just want to take exception to Mr Martin's comments, particularly with respect to the membership in a particular political party. I've sat on this committee where intended appointees from all three political parties have sat in that chair. It's his purview to pick out a few dozen appointees from the many thousands that the province appoints. He picks out the ones that are Conservative members and then sits there and complains about it. I just take grave exception to that.

The Chair: Your exception is noted, Mr Johnson.

No further comments? I will call the vote, then.

All in favour? Opposed? Motion carried.

Next week we're going to meet, I believe, at 10:30 because of the availability of members of the committee. It will be a 10:30 meeting next week. Thank you all for being with us and being as cheerful as ever.

Mr Mazzilli: Mr Chair, that's next week assuming there's no election.

The Chair: Assuming that there's no election called today. That was the latest rumour I'd heard.

The committee adjourned at 1107.

CONTENTS

Wednesday 4 June 2003

Subcommittee reports	A-29
Intended appointments.....	A-29
Mr Joe Li	A-29
Mrs Dorothy Angel.....	A-33

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Wayne Wettlaufer (Kitchener Centre / -Centre PC)

Mr Bob Wood (London West / -Ouest PC)

Clerk / Greffière

Ms Anne Stokes

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

A-4
C19
G52

A-4



A-4

ISSN 1180-4335

Legislative Assembly of Ontario

Fourth Session, 37th Parliament

Assemblée législative de l'Ontario

Quatrième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 11 June 2003

Journal des débats (Hansard)

Mercredi 11 juin 2003

Standing committee on
government agencies

Intended appointments

Comité permanent des
organismes gouvernementaux

Nominations prévues



Chair: James J. Bradley
Clerk: Anne Stokes

Président : James J. Bradley
Greffière : Anne Stokes

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 11 June 2003

Mercredi 11 juin 2003

The committee met at 1034 in room 151.

The Chair (Mr James J. Bradley): I'm going to call the meeting to order. Mr Martin has permitted us to start, although he has some business to conduct at the very beginning, but we are on a schedule today. We hope we'll complete before noon.

SUBCOMMITTEE REPORT

The Chair: The first item of business is the report of the subcommittee on committee business dated Thursday, June 5, 2003.

Mr Bob Wood (London West): I move its adoption.

The Chair: Mr Wood has moved its adoption. Any discussion? If not, I'll call the vote.

All in favour? Opposed? The motion is carried.

COMMITTEE BUSINESS

The Chair: I have a withdrawal to report to the committee. It's a memorandum from Gina Thorn, general manager, Public Appointments Secretariat, and it reads as follows:

"This is to inform you that one item included in the May 16, 2003, memorandum has been withdrawn and, therefore, should not be considered.

"The item is as follows:

"Cabinet: May 14, 2003

"Ministry of Health and Long-Term Care

"Council of the College of Audiologists and Speech-Language Pathologists of Ontario

"Judith Ann Polano."

So that has been withdrawn, for the information of committee.

We now move to the appointments review. I will be moving out of the chair shortly, because I have an interest in the Environmental Review Tribunal, as members would know.

INTENDED APPOINTMENTS

NORMAN CRAWFORD

Review of intended appointment, selected by official opposition party: Norman Crawford, intended appointee as member, Environmental Review Tribunal.

The Chair: Our first selection to appear before the committee is Mr Norman Crawford.

Mr Crawford, you may come forward. As you probably realize—in fact, I know they inform you of this—you have an opportunity to make an initial statement. Subsequent to that, we have questions from members of the committee. The questions, in this case, will commence with the official opposition. Welcome, sir.

Mr Norman Crawford: Good morning, Mr Chairman and members of the committee. Thank you for inviting me here and affording me the opportunity of coming before the committee this morning. I welcome the opportunity to appear before you as an intended appointee to the Environmental Review Tribunal. I believe I can make a contribution as a member of that tribunal. I'd like to elaborate on my background as set out in my curriculum vitae, which I understand committee members have a copy of.

By brief introduction: I was born in Sudbury, Ontario, and spent my early years in the northern towns of Coniston, Levack and Copper Cliff. I attended high school in Copper Cliff and Port Colborne. Following my father's transfer with the International Nickel Co, also known as Inco, to Port Colborne, Ontario, I graduated from the University of Waterloo in 1960 with a BA and a major in economics.

While in the employ of Harding Carpets Ltd in western and eastern Canada, I completed the requirements for business administration, sales and marketing, and export marketing diplomas. Prior to attending Osgoode Hall Law School in 1967, I travelled extensively to Europe, Australia, New Zealand and the United States, as well as within Canada, for and on behalf of the Harding company. This experience brought to me many varied environments and impacts in parts of the world that were being experienced at that time.

In 1967, I commenced the study of law at Osgoode Hall Law School, graduated in 1970 and was called to the bar in 1972. I established a full-time and full-service law firm in Cambridge, Ontario, following law school graduation.

In 1975, I was appointed assistant secretary, solicitor and counsel with Lake Ontario Cement Ltd, a company within the Denison group of companies which dealt with mining and resource extraction.

Subsequent to my tenure with the Denison group, I was employed as general counsel with Harlequin Enterprises Ltd, a publishing company and a division of Torstar.

All these employers afforded me the opportunity to travel extensively throughout Canada, the United States and Europe.

In the year 2000, I was honoured to be appointed as a member of the Ontario Municipal Board, a quasi-judicial body. This adjudicative experience taught me how to fairly and impartially arrive at decisions following a careful review and consideration and weighing the evidence presented at Ontario Municipal Board hearings in order to prepare impartial decisions resulting from the evidence presented at those hearings. As the members are probably aware, the Planning Act directs that the Ontario Municipal Board have regard to matters of provincial interest in its deliberations—protection of the ecological system and natural and rural features—when proposed developments are before the board.

1040

The protection of the environment and the public as it relates to the environment generally must be considered under the Planning Act. Protection of the public as it relates to water, health and general safety must also be considered. I believe my OMB experience will be a benefit if I am appointed as a member of the Environmental Review Tribunal. In particular, farm practices and agricultural development, as well as rural and urban centre development, must be considered when reviewing, understanding and analyzing evidence to arrive at impartial decisions in order to safeguard and protect the environment currently and for our future generations. Decisions resulting from adjudicating applications are very important, as they have a tremendous impact on our present and future generations. The extent of the various legislations must be seriously and impartially considered in light of the evidence presented at these hearings.

If appointed, I will carefully provide a fair and unbiased hearing process in assessing the merits of projects and proposals that would have an impact on the environment. Decisions must reflect and support the principles which are significant and result in environmental impact. When there are environmental concerns, the impact of these concerns must be considered. Problems of conflicting points of view in all hearings need to be addressed, and hopefully consensus, if possible, can be arrived at.

If appointed, I will have regard to protection of the ecological systems and arrive at a fair and impartial decision while considering the intent of the various acts, because, as I stated, decisions resulting can, and will, have a tremendous impact on present and future generations.

The Vice-Chair (Mr Michael Gravelle): Thank you very much, Mr Crawford. We will begin questioning, as was noted by the Chair, with the official opposition.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Good morning, Mr Crawford. Could I ask how it is that you have come to be an intended appointee here this morning? You come from a role with your most recently appointed position—just remind me; I know I have it here.

Mr James J. Bradley (St Catharines): OMB.

Mrs Dombrowsky: The Ontario Municipal Board, you indicated in your remarks. And now you're being appointed as vice-chair of the Environmental Review Tribunal. When I review your formal qualifications and education, it's very much with an arts and business background, so I'm curious about how it is that you are now looking for this very significant role with the Environmental Review Tribunal. I would judge that it might be a field that would be relatively new to you.

Mr Crawford: In part, it will be. As I indicated earlier, I was born and raised in the Sudbury area. I know the effect that the environment has had imposed upon it by virtue of operations in the north, with due respect to the north—sulphur etc. In my travels, I've seen the effect of the improper use of environmental ends. At OMB hearings, I've dealt with situations, particularly in the agricultural end where animal units were concerned, and I was concerned as a hearing member, based on the evidence as to leaching, the effects of increased animal units on so-called factory farms and the effect it would have not only on the local municipality, but also on the water resources in the community. So it became an interest of mine.

Mrs Dombrowsky: Could I ask, given that you don't have a great deal of background in environmental issues, what sources would you consider to assist you in making some of your decisions?

Mr Crawford: Certainly all the legislative acts are paramount and the government public policy statement is a major concern. But my decisions would arrive and emanate from the facts and circumstances in the evidence, expert and otherwise, that is presented to the board.

Mrs Dombrowsky: What about the role of the Environmental Commissioner?

Mr Crawford: Pardon me?

Mrs Dombrowsky: The Environmental Commissioner. Would that be one source of information that you would consider?

Mr Crawford: I think I would be considering all areas, and when in doubt about any, I would certainly do my own research and investigation to have it done.

Mrs Dombrowsky: Have you had any political involvement throughout your career?

Mr Crawford: Yes, I have.

Mrs Dombrowsky: In what way? Could you explain that, please?

Mr Crawford: Well, I've been a Progressive Conservative supporter for years.

Mrs Dombrowsky: A member of an association?

Mr Crawford: Prior to my appointment to the Ontario Municipal Board.

Mrs Dombrowsky: I'm sorry. Can you repeat that, please?

Mr Crawford: Prior to my appointment to the Ontario Municipal Board, I was active politically.

Mrs Dombrowsky: Were you a member of the executive of an association? Have you ever been a candidate?

Have you ever supported a candidate, worked on campaigns?

Mr Crawford: I did prior to my appointment to the Ontario Municipal Board.

Mrs Dombrowsky: In what riding?

Mr Crawford: Pardon me?

Mrs Dombrowsky: In what riding?

Mr Crawford: I'm sorry?

Mrs Dombrowsky: In what riding?

Mr Crawford: Kitchener-Waterloo.

Mrs Dombrowsky: In Kitchener-Waterloo. Were you in—

Mr Crawford: Both federally and provincially.

Mrs Dombrowsky: Both federally and provincially. How recent would that have been?

Mr Crawford: Prior to 1995.

Mrs Dombrowsky: You have had the opportunity to review the same background that we have. Are you familiar with the OMYA water permit issue, Mr Crawford?

Mr Crawford: Yes. I'm not intimately familiar, but I have apprised myself.

Mrs Dombrowsky: It's an issue of great importance in my riding, as the headwaters for the Tay River, for which the permit has been granted, are in my riding. Folks in my community were particularly upset when a decision by the Environmental Review Tribunal was overturned by the minister. Do you have an opinion about how appropriate it is when there have been considerable tax dollars spent, many days of public hearings, consideration of all parties concerned, a decision is made and then it is overturned by the minister?

Mr Crawford: I think that's a ministerial prerogative under the legislation. I really couldn't comment on that. I think that on the hearing itself, whatever those findings were, it was probably based on the evidence that was presented at the time. Any further comment I really couldn't make at this time.

Mrs Dombrowsky: There are those in the public who question the relevancy of the tribunal when a great deal of time and effort and money can be spent considering their issues only to have the minister overturn the decision. Do you have a comment on that?

Mr Crawford: No, I don't.

Mrs Dombrowsky: Mr Bradley?

Mr Bradley: I note that the resource extraction business is now getting well represented on government agencies, boards and commissions, particularly those related to environmental decisions. Did you say that you were involved with a resource company at one time, a cement and resource extraction company?

Mr Crawford: Yes, the pits and quarries applications when I was counsel with Lake Ontario Cement. There was a large kiln, and of course we had sub-companies, concrete companies that used the cement to prepare concrete for various road installations or what have you, piping, whatever the nature of it..

Mr Bradley: I notice that your educational background and your experience, at least your experience, all seems to be on the economic side rather than on the environmental side. In your career, have you acted on behalf of environmental groups?

Mr Crawford: No, I have not.

Mr Bradley: Have you acted on behalf of companies on environmental issues?

Mr Crawford: No, I haven't.

Mr Bradley: So you've not been involved in environmental issues as a lawyer?

Mr Crawford: No, I haven't.

Mr Bradley: What would you say was the most controversial decision you were involved in when you were on the Ontario Municipal Board? That's a little subjective, I understand.

Mr Crawford: There were a number of decisions. One that strikes me, when asked, was up in the Kitchener-Waterloo-Elmira area. In that particular instance, it was an application to expand a large pig farm to a significant number of units from what was pre-existing. The land was available on which to do it, but the concern I had at that particular hearing was the resultant effect and disposal of the manures. Of course, my own finding on the evidence at that time and on the expert evidence that was there, was that if there was a leaching into the ground, it could affect the water or well system, and the application was denied on that basis.

So that would express my concern, and that was always paramount in my mind, and has been, on hearings as to the environmental effect of these developments and applications or requests, whether it's chicken farms, pig farms or whatever the case may be.

1050

Mr Bradley: How would you then view the fact that there are some members of the current government, including the parliamentary assistant to the Minister of the Environment, who believe that some members of the farm community should be exempt from the Nutrient Management Act? This leads right into it. You obviously have had experience, not with the act itself, but with issues surrounding it.

Mr Crawford: Not with the act itself, sir.

Mr Bradley: No. What would be your view of exempting some people from the provisions of the Nutrient Management Act?

Mr Crawford: I think that that's a legislative matter, and of course I don't think that would be within the purview or ability of a sitting member to determine or decide. I would certainly have concerns about it, and I'm sure that everyone in this room does. All responsible members of Parliament do. But it's a legislative matter which, of course, members would have to invoke or prepare and implement.

Mr Bradley: Environmental groups and lawyers have argued for years that the Environmental Assessment Act should apply to all major projects, not just those that have an environmental implication, not just those that are within the public sector or the public purview. Do you

believe that all environmentally significant projects should come under this act?

Mr Crawford: Again, I would submit to you that that's a legislative matter. I think the environment is a major concern of everyone, every citizen of the province and, of course, of responsible politicians, which you all are. But there again, I think that's a matter that has to be processed and promulgated through the legislation.

Mr Bradley: In your previous practice, when you acted on behalf on Denison Mines, for instance, was that in matters related in any way at all to planning or development?

Mr Crawford: No, it wasn't. We did have a very grave concern at that time in Perth, where there was a large kiln, and of course, there was the burning aspect, because it takes intense heat, as you know, to manufacture cement. We were working with and testing the burning of garbage and various other combustible disposals. We found that when that was happening, there was an effluent that was emanating that couldn't at that time be contained by dust collectors, as they are referred to. So that operation ceased, in that they are responsible—environmental concerns.

Mr Bradley: There is a concern—

The Vice-Chair: Last question.

Mr Bradley: Last question?

The Vice-Chair: Yes, I'm afraid so.

Mr Bradley: I'll try to make it a reasonable one, then, or at least a good one.

In the environmental community, there is a concern that—I won't call it the "bias"—the tilt on the Environmental Review Tribunal is moving distinctly against environmental considerations. In other words, the people leaving the board have credentials which people would call environmental; the people moving on to the board do not have those same credentials. How would you categorize yourself in that regard?

Mr Crawford: I would categorize myself as being very open-minded, and any decisions that I would arrive at would be based on the evidence, expert evidence or other evidence, bearing in mind, as I indicated, the environmental concerns that the board has, and that I'm sure we all have. But I can only make findings of fact.

The Vice-Chair: Thank you very much. It's a rare treat to cut you off, Mr Bradley. It's usually the reverse.

Mr Bradley: The witness should know that I'm usually in the chair, cutting the vice-chair off. So he takes great pleasure in cutting my questions off.

The Vice-Chair: It's not true at all. They're excellent questions.

Mr Martin?

Mr Tony Martin (Sault Ste Marie): I note by your resumé that you're moving from being a member on the Ontario Municipal Board to this particular appointment. You served for three years on the Ontario Municipal Board?

Mr Crawford: That's correct. It will be three years at the end of July.

Mr Martin: Why are you leaving that appointment?

Mr Crawford: Well, the Environmental Review Board is a concern of mine. Having spent my term is a factor, and I presume there is an age factor—for re-appointment.

Mr Martin: An age factor? You're too old to serve on the municipal board?

Mr Crawford: No, there's automatic retirement at age 65. I'm older than 65.

Mr Martin: But you can serve full-time on the Environmental Review Board? There's no age factor there?

Mr Crawford: No, I'm not aware of that.

Mr Martin: Were you a full-time member of the municipal board?

Mr Crawford: Yes, I was.

Mr Martin: So you got a salary for that?

Mr Crawford: Pardon me?

Mr Martin: You had a salary for that?

Mr Crawford: Yes.

Mr Martin: Going on now to the Environmental Assessment Board, you're going to be a full time vice-chair, so you'll have a civil service salary there as well?

Mr Crawford: I would assume so, yes.

Mr Martin: Is this a career track for you?

Mr Crawford: Yes, it is.

Mr Martin: Your understanding of the environment—can you explain to me what people mean when they say "ecosystem"?

Mr Crawford: I think when we talk "ecosystem" it's a full integration of water resource and nutrients that can or will or do get into the system totally, particularly with the water level, which is a very major concern in light of the Walkerton inquiry; the farm aspect; the balance that is required to keep the environment safe for the use and utilization, not only of the public but industry and all the various economic interests that have to be considered.

Mr Martin: And your understanding of how the Environmental Bill of Rights works?

Mr Crawford: I haven't been exposed as yet in detail to the bill of rights, but it's a concern and has to be considered, as I understand it, on applications.

Mr Martin: Under the Environmental Bill of Rights there's a statement of environmental values. Is that something that you feel should be considered in terms of decisions that you might make as a potential appointee to this tribunal?

Mr Crawford: Yes. I would definitely have reference to the bill of rights, absolutely no question about that.

Mr Martin: Under the Environmental Assessment Act it's not always necessary for private sector development to have to undergo a review; it's at the discretion of the minister. What's your feeling about that?

Mr Crawford: Again, I think that's a matter that the Legislature should deal with.

Mr Martin: OK, but we're trying to get a handle on whether we're comfortable with your appointment here, so what would your view be on that?

Mr Crawford: I would think my own personal view is that it should be a consideration.

Mr Martin: Those are all of my questions.

The Chair: We move to the government.

Mr Wood: There's an aspect of your background that has given considerable concern to members of the committee on both sides of the House. It's this: you were a member of the 1972 bar admission course. It's a well-known fact that both the Premier of the province and the member for London West were members of that class. Can you assure the committee that you had nothing to do with either Mr Eves or myself when you were at the bar admission course?

Laughter.

Mr Wood: Sir, you don't have to answer that.

On a more serious note, it's nice to see that there are still a few members of the class of 1972 around. We do appreciate your coming forward to offer to serve the public.

Mr Crawford: Thank you very much. I appreciate that.

Mr Bert Johnson (Perth-Middlesex): I had a couple of questions, and it's just because of the geographical area that you come from. I live in a little place called Listowel, and I guess my question is, within the municipal board background, whether you ever ran into Bill White, who practises law in Waterloo and did until a short while ago with the late Al Ostner. My reason for wondering is that that firm was quite involved with municipal law and worked at that time on behalf of the town of Listowel when I was mayor. In particular, Bill White's father was a former clerk of the town of Listowel.

Mr Crawford: I wasn't aware of that, Mr Johnson. I know of him; I don't know him. Just as an aside, you're aware of course that Mr Ostner is recently demised as a result of a tragic fall.

Mr Johnson: Yes. That was a great loss, not only to the law firm but to those municipalities who depended on his expertise too.

I just wanted to congratulate you for letting your name stand for this position. All of us consider the municipal board important, and I don't mean that we don't, but I'm quite comforted to know that people of your calibre, experience and background are willing to serve this province in such an important capacity. I'd like to thank you.

Mr Crawford: Thank you, Mr Johnson.

1100

Mr Wayne Wettlaufer (Kitchener Centre): Good morning, Norm. How are you this morning?

Mr Crawford: Fine, thank you.

Mr Wettlaufer: Just for the record, Chair, Norm and I know each other fairly well and have for many years.

The Chair: I know that often happens, for some reason.

Mr Wettlaufer: Norm lives and practises law sometimes in my riding. Norm has an absolutely fantastic reputation; it is golden.

I want to say, Norm, that I really do appreciate your having put your name forward for this position. It's a

credit to you, and it's a credit to the Environmental Assessment Review Board.

Mr Crawford: I very much appreciate your very kind remarks.

The Chair: That's it, then, for the government caucus.

That completes it, Mr Crawford. Thank you very much for being with us. You may step down, sir.

SURESH THAKRAR

Review of intended appointment, selected by official opposition party: Suresh Thakrar, intended appointee as member, Ontario Securities Commission.

The Chair: Welcome to the committee. I know you're aware that you have an opportunity to make an initial statement if you see fit. We always subtract that time from the government side. I just want to warn you of that, even though I sometimes let the government stray over, just because they're good people.

Mr Suresh Thakrar: Good morning, Mr Chairman and members of the standing committee. Thank you for this opportunity to appear before you for my intended appointment as a member of the Ontario Securities Commission. This is a first for me, appearing before a government committee, except for the Competition Bureau, where I used to go a lot of times from the Royal Bank.

It is indeed a great honour for me to be here today, first to be in front of such an esteemed group of legislators and, second, to be nominated to serve the people of Ontario through such an important agency as the Ontario Securities Commission. This honour takes a significant relevance for my family and me personally, in that I came to Canada as a refugee from Africa. As we all say, this can only happen in Canada. I'm truly proud of that.

I believe you may have seen a brief summary of my professional and volunteer service profile. As you can see from my profile, I have had a diverse career and experience. My professional daytime career in Canada has primarily been with the Royal Bank, and my spare time and weekend career has been involved with numerous humanitarian, community and volunteer activities.

I arrived in Canada in November 1972 as a refugee from Uganda and joined the Royal Bank almost immediately. Over the last 30 years with the Royal Bank, I have held a number of senior management, executive, line and staff positions across various parts of the bank. To name a few: international systems, commercial banking, multinational banking, cost management, product management, personal financial services, business banking, corporate finance, process re-engineering, strategic planning and merger office in locations in Toronto, Montreal and Burlington, with a number of short duration international project assignments.

In my diverse career at the RBC, I have attained broad experience and proficiency in a number of areas including commercial corporate lending, account management, sales and marketing, product management, business and portfolio management, project management,

process-organizational re-engineering, corporate finance, strategic planning, and mergers and acquisitions.

My last position at RBC was as vice-president, personal and commercial banking.

I'm currently on a sabbatical leave from Royal and engaged in a number of philanthropic activities within Canada and abroad. My sabbatical comes to an end shortly, and I will not be returning to the Royal Bank.

My part-time career, the other half, has largely focused on serving the community. Over the past 35 years, I've played an active leadership role as a board member, director, trustee, founding member, mentor, coordinator and fundraiser for a number of community, business, arts and philanthropic projects and associations.

Some of the recent appointments include the Indo-Canada Chamber of Commerce, where I was an advisory board member; the standing committee on multiculturalism; Canada-India Business Council; Gujarati Samaj of Montreal; Federation of Gujarati Associations; and Lohana Cultural Association of Canada.

I have also led and championed a number of fundraising and project activities such as the Gujarat (India) Earthquake Relief Fund; creation of the South Asian Gallery and curatorship at the Royal Ontario Museum; the India, The Living Arts exhibit at the Canadian Museum of Civilization in Ottawa; and many other community and youth events.

I'm currently serving a number of organizations: as a director of the Canada India Business Council; on the leadership gifts committee at the Trillium Health Centre in their capital fundraising campaign that's about to be launched; the Renaissance ROM Campaign cabinet for the construction of the ROM; the Gujarat (India) Earthquake Relief Fund; and the Royal Patrons' Circle at the ROM.

In fact, during the past year of my sabbatical I've devoted a significant amount of time as the coordinator for the Gujarat (India) Earthquake Relief Fund, which is a Canadian community-based initiative created to respond to the tremendous humanitarian assistance for relief, rehabilitation and reconstruction for the thousands of people affected. Over the past six months, we have constructed 500 houses in seven villages, 25 primary schools, four community infrastructures, one primary health care centre, micro-irrigation systems for 500 homes, mobile dispensaries etc, and developed programs to improve the livelihoods of over 1,500 women and small farmers.

With respect to my educational background, I have an honours bachelor of science degree, majoring in applied statistics and economics, obtained from Makerere University in Kampala, Uganda, and a post-graduate master of business administration degree, specializing in finance and international business, from McGill. I'm also a fellow of the Institute of Canadian Bankers and have attended a number of leadership and professional courses and seminars over the years for the bank.

Mr Chair and members of the standing committee, I appreciate the opportunity to make this statement. I believe my diverse experience, my educational back-

ground, my personal leadership skills and my proven record and reputation in the public, private and voluntary sectors will enable me to contribute satisfactorily in performing the duties required to fulfill the mandate as a member of the commission at this critical time.

Let me take this opportunity, with your permission, to extend my appreciation to David Brown, the chairman of the Ontario Securities Commission, and the nominating committee at the commission for their confidence in me, my abilities and my qualifications with their nomination for my appointment.

Mr Chair, for me there is an additional imperative to do my best in this particular public service appointment in that I'm told I'll be the first appointee to the commission from the visible minority community, an honour. If that is true, this pioneering appointment, with your collective concurrence, will require an even greater effort on my part.

I am indeed honoured by this opportunity to serve my community, my province and my country, and for that I look forward to your support.

The Chair: Thank you. We'll begin the questioning with the third party.

Mr Martin: This is indeed an important appointment that we consider here this morning, particularly when you look at some of what has happened over the last couple of years in terms of the market and securities and the impact that has on the lives of people who invest so that they might have something to retire on—pensions, those kinds of things. In my view, as government, we have a responsibility to make sure that we protect those as much as we can.

Mr Thakrar: Absolutely.

Mr Martin: As I go back home to Sault Ste Marie, although it's a long way from Bay Street, I have people there who have their life savings wrapped up in all kinds of plans, and they want to know what I'm doing to make sure that they're protected. So I'm here today to ask you what it is that you bring to this appointment that should make me feel comfortable in telling my people back home that this is a good appointment.

Mr Thakrar: You're absolutely right. I have a tremendous background in the financial service industry, spanning a number of areas, tremendous strength in strategic planning, in finance. I believe I will be able to contribute these skills. Although I'm not a lawyer—a number of commissioners happen to be lawyers—I think I'll bring a different perspective from a consumer point of view, from a business point of view and business acumen that I have from the last 30 years of experience.

Mr Martin: What's the biggest issue for you going into this?

Mr Thakrar: Right now, in the post-Enron and post-WorldCom era, I think to contribute as a member, as you alluded to earlier, to enhance the confidence of investors and also to participate in the rapid changes that the commission is facing, to address a number of studies and task forces that have come out with their recommendations over the past year.

1110

Mr Martin: Given where you come from, your experience and work, how might I be convinced that you won't bring a bias toward Bay Street as opposed to being concerned about the interests of so many other people who don't operate on Bay Street?

Mr Thakrar: I think when you take a position such as this one, you are always unbiased to any agenda or any beliefs of a certain industry or group. So I think I'll be more open. I have a tremendous reputation of public integrity that I rely on, to maintain that going forward as well.

Mr Martin: Given that you come from the banking sector, what role did the banks play in some of the debacle that we've seen over the last two, three or four years in the securities area?

Mr Thakrar: Fortunately for the Canadian banks, and in particular the Royal, I think we were a little bit out of those things. You know, there have been a lot of changes, a lot of innovation, technology, liquidity, competitiveness, global things etc, so there have been errors made in judgment. In hindsight, there were errors made, but I don't think it's as crucial as what's happened south of the border.

Mr Martin: I have a particular interest in another form of investment in the province—because I've seen some of my constituents hurt—and that is, people who invest in franchises. They are a lot like people who take their money and invest it in the market or put it into a fund of some sort, to protect that and grow it so there will be something there for them in their retirement. I have noted over and over again in the province significant numbers—hundreds of people, families—being damaged big time by entering into agreements with franchise systems that turn out not to be what they presented in the first place, and they lose their life savings, some of it by design, some of it because that's just the way things work. Systems get churned over.

I've brought forth legislation in this House probably four times now, asking for that whole sector of business to be regulated. There was a suggestion that the Ontario Securities Commission might be a place to put some responsibility for that regulation; some arm of government that would accept, for example, disclosure statements and make sure they were correct—just as when somebody puts forward an IPO, you want to make sure that what's in there is correct and factual information—and also a vehicle to facilitate disputes. What's your thinking about that? Have you had any experience in that field, in that area? Would the Ontario Securities Commission be an appropriate or proper place to put that kind of public oversight?

Mr Thakrar: To be honest with you, I have not even thought about this area. From my limited knowledge of the mandate of the commission, I don't think they have that mandate at this stage.

Mr Martin: No, they don't.

Mr Thakrar: When I'm there, I might bring it up as a discussion with the board, but I have no opinion at this stage.

Mr Martin: You've had no involvement with people or small business people who might have gotten themselves involved in franchising?

Mr Thakrar: Only as an account manager, a long time ago at the bank.

Mr Martin: As we went through the public discussion about the need for legislation and regulation in franchising, it became obvious that central to most relationships was a loan from a bank. In some instances it was suggested that banks were actually making it too easy for people to access these loans, knowing that at the end of the day they were secured, and so may actually have been culpable in some of the bankruptcies and very devastating circumstances that some of these small business people found themselves in. But you have no knowledge or relationship with that?

Mr Thakrar: No.

The Chair: We now move to the government caucus.

Mr Wood: We'll waive our time.

The Chair: We move to the official opposition.

Mr Michael Gravelle (Thunder Bay-Superior North): Good morning, Mr Thakrar. Thank you very much for joining us. You certainly have a very impressive resumé from a professional point of view, but your humanitarian and philanthropic work is also most impressive.

I am curious, though, as to how this appointment came about. Were you approached for this or did you approach someone? Could you let us know just how the appointment was brought forward?

Mr Thakrar: I got a call from Dave Brown while I was away in India during my sabbatical.

Mr Gravelle: The chair of the OSC?

Mr Thakrar: The chair of the Ontario Securities Commission. At the same time, I was being nominated for three or four different boards, given that I was on sabbatical and I had some more spare time, so I think people wanted me to join. There was a hospital, and a museum nominating committee had talked to me as well. So, it came from Mr Brown.

Mr Gravelle: There was no political connection, then, in the sense of a member putting forward your name. May I ask if you are a member of a political party?

Mr Thakrar: I am not, but I participate very actively in the political process, just being a leader in the community. I'm a fairly respected leader in the Canadian and South Asian communities, so all parties' functions etc.

Mr Gravelle: Let me ask, if I may, some questions specifically about the position you'll be going into. One of the issues that has been brought forward for some time now, certainly by some—I think Mr Brown is one of the advocates—is the need for a national securities commission. I take it that you would have given this some thought yourself. Can we ask for your thoughts on whether this is a good idea and, if so, whether we should move forward on it more quickly?

Mr Thakrar: I think it's a good idea. We live in a very rapidly changing world, almost borderless, with respect to capital inflows and outflows. We have 13

jurisdictions in Canada, and with the expenses, the time it takes for changes to filter through and to get the confidence, I think some form of national regulator is a must for Canada. We have talked about it for almost 40 years, from my reading over the past week.

Mr Gravelle: Are you familiar with some of the resistance to it? I know that some of the provincial governments have been somewhat resistant to a totally independent national securities regulator, and I believe the Toronto Stock Exchange has been resistant as well. Are you familiar with that, and do you understand their resistance, or do you think this is something they should be trying to overcome?

Mr Thakrar: Yes, I think as a Canadian you see such resistance in a lot of other things where we are trying to harmonize. But I sense that there is a will, based on the last couple of years and what's happened in the environment, to somehow come to concurrence as to how we can best formulate this thing, and I'm sure we'll find a way.

Mr Gravelle: Certainly it has become clear that we need to have a reform of securities regulation in the province, if not at a national level. We all know and talk frequently, especially when we have appointees for the Ontario Securities Commission, about the Enron debacle, Worldcom and a few other things, and obviously those concerns are felt in Canada as well. There also seems to be a bit of a debate about the kind of regulation that should be brought forward in the province. Are you familiar with that?

It seems to be those who seem to think it should be a principle-based concept as opposed to hard regulations. I think Mr Brown has taken a position on that as well. I'm getting the impression that you know him quite well, but I'm curious as to your thoughts on what approach should be taken. I think the province has also taken a very strong position related to Bill 198, but if you can give me your thoughts.

Mr Thakrar: Again, given the level of frustration, the profiles of these debacles, and yesterday too, I think regulation-based is probably the way to go. The principle base is what we've had for the last so many years, but there is an element of regulatory need—maybe some elements of principle base, but largely I favour the regulatory.

Mr Gravelle: What do you think is the reason for those who are more keen to have principles-based regulation? I don't want to be accusing anybody of anything, but it seems to me, as you say, that this has been the basis on which it has been done in the past and there have been some concerns about it in the past as a result. Is there a legitimacy to those who continue to think more of the principles base, which obviously gives more flexibility? Do you understand their position? I appreciate your response, but it was still somewhat tempered, I thought. Do you appreciate those who are more prone to pushing the principles-based concept of regulation?

Mr Thakrar: Pardon me if I err on this side. The principles base—I think there are a number of factors.

One is the cost element. If you go on a regulatory basis, there are very defined corporate governance things that an entity will have to establish. Coming from a bank, the Bank Act had certain kinds of these regulatory things. Of course, there's a cost to that.

I think the second is: "Trust us. We are organizations and entities, and we can manage on a principles base." I think those are a couple of factors that are influencing their way of thinking.

1120

Mr Gravelle: I guess, in an interesting kind of way, we're not in the same trusting environment we were in before, and it probably isn't wrong to be a little more demanding.

Mr Thakrar: Yes.

Mr Gravelle: You did note that you are on sabbatical now. Is there a time frame in that sabbatical?

Mr Thakrar: It ends a couple of months from now—in a month, actually.

Mr Gravelle: So you go back to RBC?

Mr Thakrar: No, I don't.

Mr Gravelle: You're not going to?

Mr Thakrar: I've taken the option of early retirement.

Mr Gravelle: You're very young.

Mr Thakrar: I am. I plan to do other things, hopefully.

The Chair: It helps when you retire when you're 32.

Mr Gravelle: Very nice, Mr Chair.

Mr Thakrar: I'm looking at some entrepreneurial opportunities and carrying on doing my philanthropic work. That's my passion.

Mr Gravelle: I want to ask you a question that may be a little off-topic; it's related to the provincial government's immigration policy. I'm not sure how familiar you are with it, but they have made moves toward saying they should be taking over the immigration policy from the federal government. One thing that sort of startled those of us who saw some of the recommendations in their platform was that they actually put this in the crime section of the document. I don't know if you're familiar with that, but if you are, I would want your comment on that. It struck many of us as being a peculiar, if not somewhat rude, place to put it, in terms of some of their adjustments to the immigration policies—to put it in that section.

I guess I am putting you on the spot, but I'm curious. Obviously you're a gentleman who is very well informed.

Mr Thakrar: To be honest with you about this, because of my absence over the last five or six months, on and off, I still have a lot of catching up to do with various things in my pile of newspapers at home, so I don't know if I can really make a fair comment. But the perception of crime and immigration doesn't sound right to me personally. I'm sure the government will look at that. I can't really comment much beyond that.

Mr Gravelle: We tend to feel there's some value, in terms of the economic potential and professional skills

that are out there, and we want to encourage more of our immigrant population to be able to use the skills they come to Canada with.

Thank you very much.

The Chair: That completes the questioning, sir. Thank you for being with us today. You're allowed to step down. The vote takes place later.

Mr Thakrur: OK. Thank you very much.

ZULFIKAR KASSAMALI

Review of intended appointment, selected by official opposition party: Zulfikar Kassamali, intended appointee as member, Council of the Registered Insurance Brokers of Ontario—Complaints Committee and Discipline Committee.

The Chair: Our next intended appointee is Zulfikar R. Kassamali. Sir, you may come forward. As you know, you have an opportunity to make an initial statement, if you see fit. Then members of the committee will direct their usual wonderful questions to you.

Mr Zulfikar Kassamali: Thank you.

Remarks in Arabic.

In the name of Allah, the most beneficent and the most merciful.

Thank you for allowing me the opportunity to speak with you and your committee this morning, Mr Chairman. I am honoured to have been nominated for appointment as a member of the Council of the Registered Insurance Brokers of Ontario—Complaints Committee and Discipline Committee.

Since my arrival in Canada from Uganda 31 years ago, after being expelled by Idi Amin for not being black, I have wanted to make positive contributions to making society the best it can be. In Uganda, I was the vice-president of Pepsi-Cola and the youngest executive in the company. On coming to Canada, I could not get a job in a similar position because I was overqualified. I had to compromise and take jobs loading and offloading trucks in a warehouse and also working in factories. At the same time, I got involved working as a volunteer helping to settle Ugandan refugees. I have spent 31 years working with various groups, institutions and communities. In the process, I have had the honour and privilege of working with and associating with fine leaders like Bill Davis, Mike Harris, Janet Ecker, Helen Johns, Elaine Ziemba, Bob Rae, Dave Johnson, Jean Chrétien, Gerry Phillips, Carl DeFaria, Roy McMurtry, Paul Martin, Barbara Hall, Dave Boothby, and the list goes on.

Very humbly, with the grace of God, I contribute approximately 52 hours per week volunteering. I will briefly mention what I have done and the results I have achieved. I first identify what are the pressing problems that need to be addressed in our society and then create strategies and practical solutions for them.

Having worked with the Toronto police for the last 16 years as a volunteer, from being a member of the South Asian Consultative Committee to the position of co-chair and then the chair, and being the member of the chief's

advisory council, following are the challenges and achievements.

Domestic violence and spousal abuse: the creation of innovative and effective projects to assist victims and bring awareness to the perpetrators; private emergency help telephone numbers were inserted in empty lipstick cases to hide from abusive spouses. These lipstick cases were distributed to women in churches, temples, mosques and other places at the grassroots level.

The creation of a video involving seven- and eight-year-old kids from different communities and cultures asking them to role-play certain messages that reflected adverse psychological effects of domestic violence and spousal abuse like, "It is all my fault," "I wish my parents didn't fight," "Why do my parents have to scream?" and so on.

This program also involved interviewing the chief of police and social workers from different agencies which made great contributions toward helping the victims of violence and abuse.

I assisted in staging an art exhibition with the help of youth artists from different communities between the ages of 14 and 21 to depict spousal abuse in the form of art. This was staged at the citizenship court at the Toronto police headquarters. In the first year, I had only 14 exhibits. In the second year, there were 38 art pieces. This exhibition was entitled Enough is Enough. The idea was to create an awareness for the newcomers to Canada of what the law of the land was.

I represented 45 ethnic communities as the president of the Multicultural Alliance for Seniors and Aging. I was appointed to sit at the round table for elder abuse strategy. Besides representation from the aboriginal people, I was the only person from a visible minority representing ethnocultural issues and needs, which I successfully executed. Last year, our government came up with the final strategy to deal with the issue.

Twenty years ago I created, with three volunteers, a home and hospital visitation program, going to private homes, nursing homes and hospitals to help with the social needs of the most vulnerable. This year we celebrated the 20th anniversary of this program, with 175 volunteers contributing approximately 80,000 man-hours per year. Having worked with the management and staff of hospitals and nursing homes, I created pictorial cards in English, with blanks to be translated into other languages to ease the language barriers.

1130

Also, I successfully created a Meals on Wheels program for the South Asian communities. I organized cultural sensitivity workshops for the management and staff of nursing homes and long-term-care facilities. I have served for three successful years on the prestigious and privileged Aga Khan Council, appointed by His Highness the Aga Khan to hold the portfolio of community services. In this portfolio I looked after the social and welfare needs of the community from cradle to grave. I introduced our world-renowned Train the Trainers program for volunteers with the help of the Aga

Khan conciliation and arbitration board and taught the techniques of mediation.

Having served as vice-chair for the Aga Khan health board, I created many proactive programs for men's health, women's health and nutrition, such as NutriSense, for food values and calories comparison and better cooking techniques. This was the first time a men's health committee was created where women were invited to learn issues of men. Simultaneously, men were invited to women's workshops.

Serving as the vice-president of the Association of Progressive Muslims of Ontario, I created a platform for all the different faith leaders and inviting all the leaders of the political parties under one roof at Queen's Park and Parliament Hill. The Association of Progressive Muslims' mandate is to create linkages between Muslims from countries around the world and build bridges of understanding and friendship among all Canadians from different faiths and backgrounds. Many renowned speakers were given the platform to interact with people at the grassroots level, like Dalton McGuinty, Premier Harris, Janet Ecker, Ernie Eves, Howard Hampton and many more.

I championed to have for the first time in Canada the month of June proclaimed as Elder Abuse Month by Mayor Lastman, and I am working to have it proclaimed by the United Nations.

One lady died in an apartment building on Dawes Road a few years ago, which provoked me to create a unique chit-chat line program for seniors where, instead of volunteers having to go out or having access to a central office, the hotline number was call-forwarded to volunteers' homes on a scheduled basis. This certainly helped eliminate the transportation and office facility expenses. This program eventually became a safety check for the Red Cross society.

These are some of the highlights of my involvement and achievements. Over the years I have gained new skills, and I continue to build upon new skills and apply them as my passion for public service and my commitment to making a positive contribution and improving our communities, our city, our province and this country.

This is why I believe the Council of the Registered Insurance Brokers of Ontario—Complaints Committee and Discipline Committee is an area where I can continue to positively contribute to my country.

I humbly request, and will be honoured and privileged, to have this opportunity, which will allow me to realize my goals and aspirations.

The Chair: Thank you very much, sir. The Conservative Party has no questions?

Mr Wood: We'll waive our time.

The Chair: We'll move to the official opposition.

Mr Gravelle: Good morning, Mr Kassamali. What a remarkable resumé and a truly remarkable life. It certainly seems appropriate to begin by thanking you for all that you've contributed in your years here in Canada. I appreciate it very much. But it does beg the question in terms of the insurance brokers of Ontario complaints and

discipline committees: with all that you're doing, it almost seems odd to me that you would want to be on this. I'm curious as to how the process came about by which you're now about to be appointed to it. How did this process go forward?

Mr Kassamali: I don't see anything different—why one committee and why not the other committee?—as far as I am concerned, if I can make a difference. Having gone through different committees and different issues and problems, when I read about this particular committee and this particular entity, I asked myself a question. Even I didn't know that this kind of entity ever existed. Can you imagine, at the grassroots level, are people really aware of this? Maybe people like me will make a difference. That is why I chose this one.

Mr Gravelle: Well, I'm sure they would. The point that I was trying to make was that your involvement in your community in terms of social issues is remarkable, and there are other committees that I would think you might be interested in as well, which would very much fit in. Obviously, you're on the elder abuse committee, and that work is remarkable. I guess that's more the point that I was trying to make. Certainly I'm not being critical of you being on this. It's just that, with all the highlights of your life that you've brought forward, and I'm sure they were just the highlights, it struck me, "Gee, there other things that perhaps Mr Kassamali might want, more appropriately, to be put on." Did you ask for this appointment or was this particular position offered to you?

Mr Kassamali: It's not that I was offered it; it is because it was available. There was a vacancy that I saw. I asked my MPP to see if there was any possibility for me to pursue this, and I was lucky enough to be nominated. I tried. But it's a very good point you are raising. Maybe if there any other higher position, like a deputy minister or something, I wouldn't mind.

Mr Gravelle: You'll take this one, though.

Let me ask one more question. I was going over the resumé that's provided for us and there are so many areas that of remarkable interest. We don't have a lot of time, but one thing that stuck me was that you were the chair of the ethno-racial health advisory committee of the six Toronto community care access centres. One of the concerns that has been expressed, particularly in the last year or so, was about the lack of needed funding for the community care access centres.

I come from the north, from Thunder Bay. Our community care access centre, which was providing services for this huge area, was in a position where they were not receiving the funding that they needed and they were turning down many, many people. I could tell you many stories of people who I think were very unfairly not able to access the services because of that.

In your experience, when you were the chair of that committee, which I think was for three years too, did you experience some of those problems in terms of access to the services being limited as a result of the funding?

Mr Kassamali: One hundred per cent. As a chair or a co-chair of any small committee, you try to make an

impact on the bureaucrats. From day one, when the CCACs were created, I had written an open letter, and in that letter I had very clearly said that in Toronto you don't need six CCACs; you need only one. So obviously, being a small person with a small committee, I don't think my views were taken, so we ended up with no funding. Obviously, there won't be any funding. I'm still saying it today: if you really want to make a difference, cut down on the CCACs. You don't need too many staff in different offices. That's my view.

Mr Gravelle: But you do agree that more funding is needed just to provide the services to the people in their homes, obviously. Certainly that continues to be an issue for me in my riding. I keep hearing stories that people cannot receive the services that they need.

1140

Mr Kassamali: You see, the question is that never, ever will there be enough money for any program. If we start creating proactive programs at the grassroots level and don't let the general public depend on an ongoing basis on the government, then hopefully we might solve this problem. But proactive programs at the grassroots level are important.

Mr Gravelle: Thank you very much, Mr Kassamali.

Mrs Dombrowsky: Good morning, Mr Kassamali. You indicated that you approached your MPP with regard to this role. Who would that be?

Mr Kassamali: Madam Janet Ecker, the Minister of Finance.

Mrs Dombrowsky: Janet Ecker is your MPP?

Mr Kassamali: No, she's not my MPP. You see, if you look at my leadership role, where I say that I have created a platform in Queen's Park and at the Parliament here, where members of different parties are coming there, and in my opening speech I had said that until and unless people from the visible minorities are given opportunities in decision-making, you can talk whatever you want to talk and say whatever you want to say, but you are not going to achieve results. So at that time I had said openly that there are so many people in the community who might be interested in getting appointments. If there are any available, please let us know. I had also shown interest for myself. If there was anything available for me, yes, I was interested.

Mrs Dombrowsky: Are you a member of a political party?

Mr Kassamali: Do I have to declare that, Mr Chair?

Mr Wood: Well, it's up to him.

Mr Johnson: As long as he says "Conservative," there's nothing the matter with him.

The Chair: I always say that members of the committee may ask. I'm pretty lenient on the questions I allow members to ask, and I'm equally lenient on the witnesses. So you may answer whatever way you see fit, sir.

Mr Kassamali: OK. I am a good friend of all the three parties.

Mrs Dombrowsky: But you are declining to answer my question whether you are a member.

Mr Kassamali: No. If you want it in black and white, as he said, I have to please this Conservative—OK, the Conservative Party.

Mrs Dombrowsky: Have you ever sought an office with that particular party as a member of an association?

Mr Kassamali: Absolutely not.

Mrs Dombrowsky: But you are a member. In what riding are you a member?

Mr Kassamali: To be honest, I have never become a member in any particular area. But I know that Ernie Eves's riding—I have contributed membership there.

Mrs Dombrowsky: Mr Kassamali, just so that I am clear, perhaps you misunderstand. It would appear that you've indicated you have supported the Progressive Conservative Party, but you're suggesting that you perhaps are not a member of the party?

Mr Kassamali: Maybe. You might be right. Because sincerely, I don't remember contributing any particular amount to any party and getting a receipt that this is my membership. But I am saying it—I'm not sure, but I assume.

Mrs Dombrowsky: I appreciate that, and I just want to clarify as well with regard to the statements that you have made around the inclusion of visible minorities on the various agencies, boards and commissions of this government. I could not agree more that it is important to have a balance of representation.

However, having said that, I think it's important to understand that when people do look for appointments to these agencies, boards and commissions, I have tried to establish for the public an understanding of how, in fact, that happens. So you would be explaining to me today that because of your direct connection with the Honourable Janet Ecker, that has assisted you in your appointment here this morning?

Mr Kassamali: I would ask you to assume whatever you want to assume, but I—

Mrs Dombrowsky: It is important that I am clear on this.

Mr Kassamali: Yes. As I said earlier, and I am repeating the same thing: that I have said publicly I was looking for an appointment if there was anything available. I asked and I was told, "Yes, there is one vacancy if I would like to apply, and I applied."

The Chair: Unfortunately for Mrs Dombrowsky, that's the end of her questions. Her time has expired. We now move to the third party.

Mr Michael Prue (Beaches-East York): Mr Kassamali, you and I have known each other for a long time, and I'm very pleased to see on your resumé that you list that I once gave you a Canada Day medal.

Mr Kassamali: Yes.

Mr Prue: Those were the days. That was about 10 years ago. I had just become mayor.

Mr John Gerretsen (Kingston and the Islands): The good old days.

Mr Prue: The good old days, yes.

I'd like to go back, because I think there is some confusion in the room about your role in the Association of

Progressive Muslims. Just so that everybody understands—and I don't know if you explained it well enough to Mrs Dombrowsky—every year the Association of Progressive Muslims at Eid has a celebration at Queen's Park, and every year you invite all of the political parties and mayors and councillors from around the Toronto area to attend that celebration.

Mr Kassamali: Right.

Mr Prue: Every year people come and address, I guess, hundreds of people, progressive Muslims, from the Toronto area, and it was at one of those celebrations that—Janet Ecker I know attends for the Conservatives, I attend for the NDP and I think Mr Phillips attends for the Liberals, because you were saying the names earlier—

Mr Kassamali: Yes.

Mr Prue: So it was at a time like that that you posed the question to Mrs Ecker?

Mr Kassamali: Yes.

Mr Prue: And she suggested to you—

Mr Kassamali: That there was a vacancy.

Mr Prue: Now, I note that you live—and I'm doing this from your address. I have never been to your home, but I note that you live in North York, at 76 Wild Briarway. Where in North York is that?

Mr Kassamali: Leslie and Sheppard area.

Mr Prue: Just to be clear, you are not a member of the riding association there?

Mr Kassamali: No, I'm not.

Mr Prue: The donations you have made to political parties, have you made them to all parties or just the Conservatives?

Mr Kassamali: Yes. You see, when I make any kind of contribution, it is from my business. The only time I might have given any personal money from myself, as Zul Kassamali, could be for a dinner or something which I had attended, a fundraiser. But personally I don't remember—and I need to be corrected if you have any record that I have contributed as a member of any political party. I don't recall.

Mr Prue: So you go to political fundraising dinners?

Mr Kassamali: Yes.

Mr Prue: And you do that for all parties?

Mr Kassamali: I do it for all the parties.

Mr Prue: And you do it for municipal politicians?

Mr Kassamali: Oh, yes, every party, including the police chief and other dignitaries.

Mr Prue: I know that every time I go to any South Asian function, any Muslim function, including a wedding this past week, you are there.

Mr Kassamali: Yes, I was there.

Mr Prue: I think that's all the questions I have.

Mr Martin: The only question I have is, in seeking this appointment, what experience, skill or knowledge do you bring that would be particular and helpful to this challenge and job?

Mr Kassamali: I have worked with the Aga Khan arbitration and conciliation board, where you have to make decisions for two parties. If there was a matrimonial case, husband and wife, you have to make sure

that in that conciliation you make a fair and amicable judgment. We have been trained in conflict resolution, so I thought this would be an asset for this particular committee.

Mr Martin: What background at all do you have in the insurance industry?

Mr Kassamali: None.

Mr Martin: No knowledge whatsoever?

Mr Kassamali: Absolutely none.

Mr Martin: Those are all my questions.

The Chair: That was very brief and to the point. We have completed any questions for the three parties. Thank you very much, sir. You may step down.

Now we go to the appointments review decisions and I will entertain certain motions. First is Mr Norman Crawford, intended appointee as member, Environmental Review Tribunal.

Mr Wood: I move concurrence.

The Chair: Concurrence has been moved by Mr Wood. Any discussion?

Mr Wood: Yes, I'd like to speak on this.

I think when you look at a tribunal as important as this, you have to take an overall view of the kind of qualifications needed. I think in doing that, we might want to consider the skills that are needed for a position of that nature. I think the key skills one needs are, in essence, adjudicative, and I think when you look at Mr Crawford's background, you can see that he has, over what is now a 31-year period that he has been licensed to practice law, quite a bit of experience, both in terms of working with adjudicative tribunals and in terms of serving on them. That, to me, is the key qualification that one should look for in someone who is being considered for appointment to a position such as the Environmental Review Tribunal.

I think we also obviously have to consider what background the individual has and the issues that are going to be before the tribunal, and I think that there is a significant similarity between the issues that come before the Ontario Municipal Board and those that come before the Environmental Review Tribunal. So I think there is quite a bit of experience shown in his background in terms of the kind of issues that are going to come before the tribunal.

Now, that is not to say that he is not going to have to learn more about some of the issues that are going to come before the tribunal. In actual fact, from what I heard when I listened to his comments and responses to questions, I think you have someone who is interested in learning, who understands how to learn. When you take a look at his background and the various things he's done over the years, I think you have someone who understands how to pick up expertise. You have someone who has an open mind. I think some of the business experience he's had, some of the community involvement he's had, all of that pointed to an individual who I think can make quite a significant contribution.

I also thought it was rather interesting, while we're on the topic of this appointment, that he became ineligible at

age 65 to continue to serve on the Ontario Municipal Board.

We've had a lot of talk, initiated of course to some extent by the Ontario Progressive Conservative party and commented on by others as well—

Mr Gerretsen: Oh, come on, it was Mike Colle bill that started the thinking about it.

The Chair: Order, please. Mr Wood has the floor.

Mr Wood: I would give primary credit to the Ontario Progressive Conservative Party for putting this item of mandatory retirement well up on the agenda. I would not, however, take away credit from anyone, even though they are not able to convince their own party to make that a centrepiece of their platform.

Mr Gerretsen: Oh, take that back.

Mr Wood: I would not take credit away from those who've worked hard on an issue, even though their ideas were not accepted by their own party.

Mr Gerretsen: Who says?

Mr Wood: I'm sure that advocates of moving this issue up the agenda were quite disappointed by the lack of response by the Ontario Liberal Party. However, we digress slightly. I would like to come back to this individual.

I'm going to give Mr Gerretsen a chance—in fact, if Mr Gerretsen wants to come in on this, I'll give him the chance right now on the understanding, Mr Chair, that I'm going to speak further on this in a minute. But I will yield the floor to Mr Gerretsen, because I take it he has some concerns with what I've said. So I will yield to Mr Gerretsen on the understanding that I have a little more to say here.

Mr Gerretsen: Are we now in a total American system where we're yielding the floor to other people?

The Chair: Order. I'm looking for anyone else who wishes to speak at this time.

Mrs Dombrowsky: Is this on Mr Crawford?

The Chair: Yes.

Mrs Dombrowsky: I'm speaking at this time to indicate I will not be able to support this appointment. I find Mr Woods's observations rather interesting, citing particularly the experience that this individual would have in a quasi-judicial role.

We regularly, on this side of the table, get sermons from government members about how unreasonable and inappropriate it is when there's some expectation that intended appointees would have some experience related to the particular appointment. Now government members are suggesting that that's a quality in this particular case that weighs heavily in favour of this intended appointee.

I have to say that during the line of questioning, I was deeply disappointed with the responses with respect to impacts on the ecosystem, the Environmental Bill of Rights, the statement of environmental values. I thought his comments, quite frankly, reflected that he had done little or no homework to appreciate the significance of all of those aspects.

With regard to his experience on the Ontario Municipal Board compared to what he would be doing with

the environmental tribunal, I would suggest that the issues can be profoundly different.

There were points raised as well about ensuring that people do have a very clear understanding and appreciation of environmental issues. It is important that I have some sense that members of this board would bring some of that to the table. I have to say that while I believe Mr Crawford is eminently qualified in many fields, I don't believe that considering matters of the environment is one of those. This is the very main reason why I will not be supporting this appointment this morning.

The Chair: Any other comments from members of the committee? Mr Gerretsen, on the specific motion by Mr Wood?

Mr Gerretsen: Yes. Although I was not present during the entire hearing process, I will have you know that I watched it intently in my office on television right from 10 o'clock on. So I've listened to all three presentations and all the questions and answers. For once in my life, I totally agreed with Mr Wood, until he started into his partisan harangue. I think the Hansard record will clearly show—

Mr Wood: That it was a non-partisan harangue.

Mr Gerretsen: —that Mr Colle, an eminent member of our party, brought forward a private member's bill that would have dealt with the mandatory retirement situation. It was the Conservative caucus, even though there are supposed to be free votes during private members' hours, that voted unanimously against it at that point in time. I just wanted to state that for the record.

The Chair: Did you have anything specific to say about Mr Crawford?

Mr Gerretsen: Yes, I will say something about Mr Crawford. I was rather impressed by Mr Crawford.

I may differ with esteemed members of this committee on this, but I think it's unfortunate that we have some high-level boards such as the Ontario Municipal Board that have a mandatory retirement age currently, and other boards such as the Environmental Review Tribunal that apparently do not have that. There should be some consistency in that. I'm all in favour of getting rid of the mandatory retirement. My party's been consistently in favour of that in the past.

The Chair: If I can make an editorial comment on this that may or may not be accurate, it seems to me this was done because these were lifetime appointments. That may be the reason, that years ago a lot of these agencies, boards and commissions were lifetime appointments; they're called "at pleasure." So the appointment didn't go until a person was 107, even though some people at 107 might do the job very well. I think that's probably why it was put in originally.

That is a bit of a sidetrack from what—

Mr Wettlaufer: The Senate is 75.

The Chair: And the Senate is 75 now, I'm told.

The member for London Fanshawe wants to vote—

Mr Wood: I wanted to complete my thought, which was this: I think the fact that the current rules do not

permit the OMB to consider reappointing someone like Mr Crawford shows that we may have to revisit the rules.
1200

Mr Martin: I think it's important that on these boards and commissions we bring new people onboard, move people along, so that there's the different perspective that's out there across the province at the table in terms of decisions that are made.

But the pattern I'm picking up here—and I've sat on this committee for quite a while now, a number of years—is that we now have members of the Conservative Party on a career track through some of these appointments. These are supposed to be people who want to serve their community, oftentimes in a volunteer capacity, to make sure that regulations are being lived up to and that we're keeping a level of standard in the way that we deliver public services and protect things like the environment. We now have people who on a career track getting caught in a bind where there's mandatory retirement, so the Tories have found a way, I guess, before they get their legislation passed, to actually even supersede that. Now they'll just appoint them to another board, no matter the experience or knowledge or skill or whatever.

This appointment to the Environmental Review Tribunal, when you consider some of what's happened over the last few years in the province, Walkerton and the concern about water and the concern about protecting the ecosystem—I was at a meeting this weekend in the Soo with Great Lakes United, a group of international people, many ordinary citizens who live in environmentally sensitive areas concerned about the health of the Great Lakes, who are expressing tremendous concern about the impact on the Great Lakes because of some of the decisions that are being made in terms of development and growth and the way we deal with waste and that kind of thing.

I think we have to be really thoughtful and considerate when we look at who we appoint to some of these panels, because they're making decisions that will affect not only our lives but the lives of our children and their children as we look at the sustainability of the ecosystem and some of these areas that we have stewardship over in Canada right now. We have control over probably a quarter of the world's water. If we don't look after it, it's going to be a very sad day in Canada and in the world.

One fellow at the meeting the other day—actually, it was a Liberal MP. His name escapes me, but very—

Mr Gerretsen: Well-known, I suppose.

Mr Martin: Yes, very experienced and knowledgeable, very left-leaning. He is actually supporting Sheila Copps for—

Interjection: Charles Caccia.

Mr Martin: Charles Caccia, yes. He was at the meeting.

Mr Gerretsen: Excellent man. One of the best environmental ministers we've ever had.

Mr Martin: Excellent man, absolutely, supporting Sheila Copps for the leadership of the federal party, just

to tell you how left wing he is. If I were in the Liberal Party, I'd be supporting Sheila Copps too. She'd be my choice for leader if I were one of you folks, just to give you some advice.

The Chair: She'll get the Hansard of this if you're not careful.

Mr Martin: I have a sister who—

Mr Frank Mazzilli (London-Fanshawe): She's my choice too.

Mr Martin: Are you a left-leaning Tory? Are you a Red Tory, Frank?

Mr Gerretsen: Are you kidding?

Mr Martin: Is he, Frank? I don't know.

The Chair: This is getting off-topic. Anyway, back to Mr Martin's astute comments.

Mr Martin: I was just wondering what Mr Mazzilli's take would be on Mr Davis's little rant on the weekend about what these guys have done to education. He's the pre-eminent Red Tory out there, isn't he?

Mr Wettlaufer: You "mis-red" what he said.

Mr Martin: I mis-red what he said. I see—the Red Tory. Anyway, I was impressed with the work that Charles Caccia is doing and the concern that he has about the environment. I think if we're taking our responsibility seriously here we have to be concerned as well that we not be simply appointing people because they're on a career track, but that we're appointing people because they have some background and knowledge and some passion for the position and some interest in actually protecting the ecosystem as we move forward, for ourselves and for future generations. So I can't find myself able to support this appointment this morning.

The Chair: Any further comments? If not, we will have the vote.

Mr Johnson: Can I have a recorded vote?

The Chair: A recorded vote has been requested.

Ayes

Johnson, Mazzilli, Wettlaufer, Wood.

Nays

Dombrowsky, Gravelle, Martin.

The Chair: The motion is carried.

The next selection is Mr Suresh Thakrar, who is an intended appointee as a member of the Ontario Securities Commission.

Mr Johnson: I request a recorded vote, please.

Mr Wood: I move concurrence.

The Chair: We'll get the concurrence first of all. It's moved by Mr Wood. Any comments?

If not, a recorded vote has been requested by Mr Johnson.

Ayes

Dombrowsky, Gravelle, Johnson, Martin, Mazzilli, Wettlaufer, Wood.

The Chair: The motion is carried.

The next intended appointee is Zulfikar Kassamali, intended appointee as member, Council of the Registered Insurance Brokers of Ontario—Complaints Committee and Discipline Committee. Any comments?

Mr Wood: I move concurrence.

The Chair: Thank you very much, Mr Wood.

Any comments?

Mr Johnson: I request a recorded vote, Mr Chair.

The Chair: Any comments on this appointment before I move to the vote? If not, all in favour?

Ayes

Dombrowsky, Gravelle, Martin, Johnson, Mazzilli, Wood.

The Chair: The motion is carried.

That completes the business. Any further business for the committee?

I'll ask our clerk, do we have sufficient people next week?

Clerk of the Committee (Ms Anne Stokes): We have two for next week.

The Chair: We have two for next week, which will be sufficient for next week. I'll entertain a motion of adjournment.

Mr Wood: So moved.

The Chair: Mr Wood has moved adjournment. All in favour? Opposed? The motion is carried.

The committee adjourned at 1206.

CONTENTS

Wednesday 11 June 2003

Subcommittee report	A-39
Committee business	A-39
Intended appointments	A-39
Mr Norman Crawford	A-39
Mr Suresh Thakrar	A-43
Mr Zulfikar Kassamali	A-47

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Wayne Wettlaufer (Kitchener Centre / -Centre PC)

Mr Bob Wood (London West / -Ouest PC)

Also taking part / Autres participants et participantes

Mr John Gerretsen (Kingston and the Islands / Kingston et les Îles L)

Mr Michael Prue (Beaches-East York ND)

Clerk / Greffière

Ms Anne Stokes

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

2010
19
G52

A-5



A-5

ISSN 1180-4335

Legislative Assembly of Ontario

Fourth Session, 37th Parliament

Assemblée législative de l'Ontario

Quatrième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 18 June 2003

Journal des débats (Hansard)

Mercredi 18 juin 2003

**Standing committee on
government agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues



Chair: James J. Bradley
Clerk: Anne Stokes

Président : James J. Bradley
Greffière : Anne Stokes

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 18 June 2003

Mercredi 18 juin 2003

The committee met at 1006 in room 151.

SUBCOMMITTEE REPORT

The Chair (Mr James J. Bradley): I'd like to call the meeting to order. If Mr Martin is not present at the time, I will start with the Conservatives and go in rotation. That way it'll work out.

The first item of business is a report of the subcommittee on committee business, dated Thursday, June 12, 2003.

Mr Bob Wood (London West): I move its adoption.

The Chair: Mr Wood has moved its adoption. Any discussion?

If not, all in favour? Opposed?

The motion is carried.

INTENDED APPOINTMENTS

JAMES CHESTNUTT

Review of intended appointment, selected by official opposition party: James Chestnutt, intended appointee as member, Council of the Registered Insurance Brokers of Ontario, complaints committee and discipline committee.

The Chair: We'll begin our appointments review with Mr James Chestnutt, intended appointee. Sir, you may come forward. Please have a seat. As you have been informed, you have an opportunity to make an initial statement if you choose to do so. Subsequent to that, there will be questions from any members of the committee who have questions for you, in rotation. Welcome.

Mr James Chestnutt: Thank you very much for allowing me the opportunity to make a brief opening statement.

I thought I would tell you a little bit about my history. I have had a wide-ranging career serving the public for 40 years with the T. Eaton Co in merchandising and store operations, including being general manager of the Toronto stores and the flagship Toronto Eaton Centre. I was also the general manager of market development and strategic alliances, which allowed me to develop partnerships with our Canadian supply base. I was also the general manager of woman's fashions for the T. Eaton Co of Canada.

In my later years at the T. Eaton Co, I began the process of creating a learning organization to train future merchants to help raise the profile of retailing as a profession. I had the opportunity to develop a Bachelor

of Commerce in retail management at Ryerson Polytechnic University, as well as establishing the Eaton chair in retailing at Ryerson. I also had the opportunity to develop retail standards and a certification process for both sales associates and first-level managers. I continue to speak at universities, when I'm asked, to the up-and-coming students.

I was born in downtown Toronto. I am married and have two chosen sons. One is attending Ryerson in the Bachelor of Commerce program, and the other is at Humber College taking professional golf course management.

I believe my early upbringing in downtown Toronto has really influenced my active role in community affairs and serving the public. I sit on the board of the Yonge Street Mission. I've sat on that board since 1976. I am the vice-chair of Genesis Place homes, which is a non-profit housing complex. I chair the tenant appeal board of Genesis Place. I'm chairman of the board of the Elmer Iseler Singers. For the last six years, I've had the privilege and opportunity of sitting on the board of directors of the Registered Insurance Brokers of Ontario, and sitting on the subcommittees of the qualification and registration committee and the professional development committee. I had the privilege of chairing the administration and finance committee as well. For the last two years, I've served on the complaints committee as a public member and currently sit on the discipline committee as a public member.

I've also had the opportunity of serving the public by sitting on the Financial Services Commission of Ontario's consumer advisory committee, which represents the public. I believe one has to be an active spokesperson for the consumer in ensuring that his or her rights are always found up front and transparent in any deliberations.

During the last five years, since Eatons filed for CCAA, I have worked on behalf of the former employees of the T. Eaton Co to ensure that their pensions were shared equally. I also had the opportunity of working with both the provincial government and the federal government in developing a training program for those employees who were between positions. A lot of the employees worked for Eatons for many years and did not know how to fill out resumés and so forth, and I had the opportunity of developing that program.

You'll probably ask me why I would like to continue to serve as a public member. At a recent board meeting I

had indicated to the board that I would be stepping down as a board member, unfortunately, as I could not serve any longer than my appointed six years. As a result of that, the board members asked the chief operating officer, Jeff Bear, if he might approach the standing committee to see whether I would be allowed to continue to serve the public on those two committees. That's why I'm here today to seek your permission to continue to serve the public on the discipline and complaints committees.

Thank you very much for giving me this opportunity to chat with you during these opening remarks.

The Chair: Thank you very much, sir. We will commence the questioning with the New Democratic Party, the third party.

Mr Tony Martin (Sault Ste Marie): Good morning.

Mr Chestnutt: Good morning, Mr Martin.

Mr Martin: There's no question as to your background, having spent a number of years on the board already and your knowledge of what the work will entail.

The only thing I'd like to query is your take on what's happening out there today where insurance in general is concerned. I don't think there's a member in this place who hasn't been inundated by calls from constituents concerned about the rising cost of their insurance and in some instances not being able to get insurance because of the new approach, regulations or attitude the industry seems to be taking. What's your take on that? What's going on?

Mr Chestnutt: Mr Martin, as you know, I'm a public member on a self-regulatory body and I'm really regulating insurance brokers. However, I do have a personal opinion and I don't mind sharing it with you, Mr Martin.

Mr Martin: Yes, that's what I'm asking.

Mr Chestnutt: There's no doubt today that consumers are facing unbelievable rising pressures on their insurance rates. While I'm certainly not an insurance expert—I've never been in the field in my life other than the six years I've served on the board—I have followed what's been happening in the newspapers. I recently read a Star editorial, and of course they drew a comparison between Ontario insurance bodies and Manitoba insurance companies.

Interestingly enough, there are two major pressures that I think are at play here. I guess number one is that the claims insurance companies all across the country are facing are regulated to about \$50,000 in Manitoba, whereas the claims can go as high as \$6 million when there's an accident, loss of life and limb and so forth.

I know there's certainly a lot of pressure to have the insurance industry controlled by the government. But at this stage, anyway, based on what I've read with regard to what is happening in Manitoba, it doesn't seem to be the right approach, because I don't feel the consumer would be properly and fully looked after. That's only from what I've read in the papers.

However, there's another problem with the brokers. The brokers are really facing tremendous pressures by the insurance companies to get rid of their bad—if you want to call them “bad”—clients. But as you know,

everybody's entitled to insurance in this province and it's up to us, the board and I, to make sure that the brokers are finding insurance for the public that wants insurance.

Mr Martin: How would a broker define a bad client?

Mr Chestnutt: The broker doesn't define the bad client; it's the insurance companies.

Mr Martin: When they make the decision to, say, cut somebody off or shift them over someplace else, what—

Mr Chestnutt: They talk about accidents, they talk about speeding tickets. If an individual is applying for insurance and has had a number of speeding tickets or has had a number of accidents, the insurance companies look upon them as bad risks.

Mr Martin: And the kind of thing you would see before you as a member of this board on a regular basis about brokers would be what? What kind of complaint would you get from consumers?

Mr Chestnutt: There are a number of different types of complaints, but I guess probably one of the major ones that I keep seeing—I wouldn't say it's the number one but it's certainly the largest—is where the broker has used their trust fund monies, which they shouldn't have, because those trust monies belong to the insurance company.

Mr Martin: So the complaint would not be so much from the consumer as from the industry itself about the broker using trust fund monies?

Mr Chestnutt: What happens is that we have investigators who go to all the brokers every three years and do spot checks. They look at the books to ensure that those trust monies are properly administered.

Mr Martin: What about the consumer? What kind of complaints would you get from the consumer?

Mr Chestnutt: We get complaints from the consumer where the broker has back-dated an insurance policy, which they obviously are not supposed to do. We get complaints from citizens with regard to extra fees that they're charging. Just recently there was a whole series of extra fees that were being charged to write an insurance policy. In other words, every time a consumer made a phone call they were charged a fee. But these fees have to be up front and disclosed prior to any fee being charged.

Mr Martin: So in your role, would you see yourself as a watchdog for the consumer or for the industry itself?

Mr Chestnutt: Very much for the consumer. I am a strong believer that the consumer has to be protected, whether it's my role on the board or on the committee.

1020

Mr Martin: And the lion's share of the misconduct that was found where brokers are concerned would be where, in what area?

Mr Chestnutt: Could you repeat that? I'm not quite following.

Mr Martin: The lion's share of the complaints and the finding of guilt on the part of brokers: what would be the area—

Mr Chestnutt: There's a whole series where the broker knows that the individual has had an accident and

it's not put down on the application when the policy has been put in and advises the client not to put it in. There is a whole series of different things and you have to look at them all.

Mr Martin: OK. That's all the questions I have.

Mr Chestnutt: Thank you very much, Mr Martin.

The Chair: We now move to the government.

Mr Bert Johnson (Perth-Middlesex): It wasn't so much a question that I had for Mr Chestnutt but a comment. I wanted him to know a couple things. One is that I have been in the insurance business just a little over 40 years, both as a company representative employee and a broker. I guess I admire what Mr Chestnutt is supposed to bring to the table, and that is a lot of patience, a lot of wisdom and a lot of good decision-making.

My experience goes back to, I think, about March of 1963. I started with a very large insurance company, and I've gone through a lot of the cycles that insurers in the province of Ontario—I can remember, for instance, back in maybe about 1965, writing part of the standard automobile insurance that deal with, at that time, when we went from the name "perils of comprehensive and collision" into an all-perils and so on. I wrote that section for the standard automobile policy for the superintendent of insurance at the time.

Then I developed a lot of background in taking the Insurance Institute courses at the time. I think it was about 1969 when I finished the courses and became a fellow of the Insurance Institute of Ontario by examination. I was quite proud of that.

The Chair: You were just out of your teenage years then.

Mr Johnson: Exactly; almost out of kindergarten, I would say. Eventually that worked into a community college course with the background and so on, and it's very much a standard now in the industry for specialized brokers, adjusters, insurance personnel and the whole thing.

I can recall, I guess in the 1970s, almost a similar situation where insurance companies didn't want to underwrite money. You realize that insurance is a money business—really, that's all it is—and it depends on circumstances. One of the worst circumstances was the stock market on December 31, because all insurance companies took their financial strength or weakness on that exact date for the prior year and for the next year. Insurance companies have to have a lot of money. People said to me when I was a broker and they had complaints, "That greedy insurance company would take all my premiums and won't give me anything." I'd say, "Well, do you want to deal with an insurance company that doesn't have much money, that's kind of on the brink?" "Oh no, no. I don't want to deal with them. I want them to have it but I don't want them to make it off of me. I want them to make it off of Bruce Crozier and other people like that."

So it's a peculiar business. I hear stories now about one big insurance company and they want to cut their business by 30%. At the same time, their rates are going

up about 20%. So in essence they are going to have to cut off half of their clients. Mr Martin asked, rightly so, how they make those kinds of decisions. What most of them do is go to their brokers and say, "We're making more money on Mr Crozier than we are on Mr Martin. So, Mr Martin, from now on we're not going to write any business for you. You're gone. You deal with other companies." Companies rationalize how they get rid of people, get rid of problems, based on money. I don't know if that helps explain anything or not, but I've gone through those cycles—and more than once—where I had insurance companies come to me and say, "Bert, we won't write for you any more. Goodbye." It gives a broker a real problem, because his choice of where he puts his clients, who he recommends to his clients, is devastating.

I guess I'm awfully glad I'm not in the brokerage business any more. I'm not sure I'm not glad I'm in the insurance business, because there are a lot of different aspects to insurance. At one time, I did all of the facultative reinsurance for Co-operators and a lot of their treaty reinsurance. I can recall the episode in—now, if I'm going on too long, let me know.

The Chair: No, you're not. I can't see the clock.

Mr Johnson: One of the reasons I'm saying this is because I remember Mr Wettlaufer standing in the House and saying that he knew more about insurance than anybody else there. I was in the chair, so I couldn't argue with him.

Interjection.

Mr Johnson: Exactly. But I've told him since that I disagree with that.

I recall, for instance, the kids on the motorbikes in Brampton who had a bad accident, a terrible accident, but they were trespassers. Anyway, there was a large settlement that came out in the lower courts. I can remember talking to a reinsurance syndicate at Lloyd's of London the next day, and he said, "Bert, we can handle this for you, but we don't know how much it will cost you. It may be twice as much as it was the day before." I protested and the whole thing, and he said, "Well, we'll let you know." But that's it.

What I'm suggesting is that a ripple like that one accident in Brampton, Ontario, rippled halfway around the world into the largest, at that time, reinsurance market in the world, and just had a shuddering effect on the insurance market at that time.

We haven't had any one thing that has come up within this last few—but I have to say one other thing. I also recall in the 1970s when automobile insurance in Ontario became compulsory. I can recall a lot of angst within the insurance business. At that time New York state had compulsory automobile insurance and they had between 12% and 15% uninsured motorists. People didn't have insurance in New York state, even though it was compulsory. In Ontario at that same time, we had about 2.5% who didn't have insurance when it wasn't compulsory. It seemed to be an awfully backward move to make automobile insurance compulsory in Ontario when we

were likely to move toward a higher uninsured rate than we already had—dramatically higher.

I guess what I'm saying is I wanted to thank you ever so much for offering your services to the Council of the Registered Insurance Brokers of Ontario, in that complaints committee. It's an awfully important job. I'm ever so glad that you're here to help the province of Ontario with that duty. Thank you ever so much.

Mr Chestnutt: Thank you very much.

The Chair: Thank you very much, Mr Johnson. There's a great advantage to looking this way. I can't see the clock. You see, when I look this way—

Mr Johnson: I'm sorry to take the other caucus's time.

The Chair: We learn an awful lot in this committee, and not all of it comes from the people who appear before the committee. Some of it comes from members of the committee as well.

Mr Johnson: My apologies.

The Chair: No, we appreciate your intervention very much, Mr Johnson. It's timely and most interesting. Now we'll move to the official opposition.

Mr Bruce Crozier (Essex): Good morning, Mr Chestnutt, and welcome.

You said that you appreciated the opportunity to come and talk to us this morning. I was pleased to hear that, because our side of the room requested that you be here. It's because automobile insurance in particular, the insurance market in general, is one of the top items of the day. I appreciated the comments you made to Mr Martin's questions and I appreciate your patience in listening to the learned Mr Johnson, because I agree with a great deal of what he said as well.

1030

You pointed out in your answer how brokers have a great deal of angst in the market today because of company underwriting rules and because of what companies are doing to protect their capital markets. We had an opposition day on insurance just a week ago and it was the brokers that I spoke about, because in some instances they are the innocent persons in the middle of this thing.

Do you expect, with your six years of experience on the board, to see a rise in complaints against brokers, both justified and unjustified, as a result of the conditions of the market?

Mr Chestnutt: I think, Mr Crozier, because of the rising rates there are going to be complaints. As you probably know, not all that long ago a company by the name of Markham General went under. To be quite honest, we had a whole series of complaints as a result of that company going under. My philosophy was that it was the responsibility of the brokers and Markham General to ensure that the clients Markham General had were serviced by finding another broker to help those clients find insurance.

During these turbulent times in the insurance business, I wouldn't hesitate to guess that there are going to be a lot of complaints. I'm not trying to be an advocate for brokers, but I think the citizens of Ontario are well served

by brokers. Brokers have a responsibility to find the most reasonably priced insurance, not just from the two or three companies they might represent. As you know, an agent only has one company; if you're working for State Farm, you work for State Farm, but a broker has the responsibility to go out and find insurance, where there's a problem. With the prices going up, while 20% might not seem much, it would be a lot for somebody who's not earning a lot of money.

Mr Crozier: Do you think the broker's role is understood by the consumer?

By the way, I was an insurance broker too, but only for about a tenth of the time that Mr Johnson was. It was only for three years. I came in just when no-fault was coming in in 1990 and then I got a better job in 1993—I think.

Mr Joseph Spina (Brampton Centre): And you're still employed, Bruce.

Mr Crozier: Yes. Do you think the brokers are understood in their role in the market?

Mr Chestnutt: To be quite honest, Mr Crozier, I believe that the public does not understand the role between an agent and a broker. They just think, "That's my insurance person that I go to," and they do not understand the difference. I think that's a shame. But, as you know, being a self-regulatory body, it's not the responsibility of RIBO to go out and promote themselves. They're just a regulatory body. So, yes, to answer your question.

Mr Crozier: Perhaps the insurance brokers' association should help educate the public in this.

Mr Chestnutt: Yes.

Mr Crozier: Sitting on a complaints and discipline committee—is it both?

Mr Chestnutt: Yes, Mr Crozier.

Mr Crozier: Are you a compassionate guy, a tough guy, a fair guy, or all three?

Mr Chestnutt: You might say I'm all three. But I tend to look at the consumer first. Was there any consumer exposure? That's the thing I look at first. Before I look at anything to do with trust fund monies or anything like that, I want to know whether the consumer was at risk, and that's the first thing I do.

Mr Crozier: OK. Look, I appreciate the fact you've put your name forward to continue to serve in this area, and I wish you well. I think my colleague might have a question.

The Chair: We now move to Mr Gravelle.

Mr Michael Gravelle (Thunder Bay-Superior North): Good morning, Mr Chestnutt. Like most members, we're very pleased to have an opportunity to have this kind of discussion and to have your thoughts and expertise on this. There is one thing I wanted to ask you about. I noticed in your resumé, among other things—I think being chair of the Elmer Iseler Singers is fantastic; they're fabulous singers.

The Chair: We won't require you to perform today.

Mr Gravelle: That would be something else. I just love them; they're wonderful.

I notice you are a member of the consumer advisory committee of the Financial Services Commission of Ontario. That is fiscal, the group that essentially authorizes insurance increases?

Mr Chestnutt: No.

Mr Gravelle: No. Explain it to me. I think of them—

Mr Chestnutt: Sorry.

Mr Gravelle: Go ahead, Mr Chestnutt. You're far more learned than I am.

Mr Chestnutt: Basically, what happened was that they wanted a consumer advisory committee in the Ombudsman's office. They approached the Consumers' Association of Canada, two or three professors, and they also approached RIBO. They asked if RIBO would appoint a person to sit on the—

Mr Gravelle: So you're the rep from RIBO.

Mr Chestnutt: I am the rep from RIBO.

Mr Gravelle: I would think this would be a very interesting group to be part of right now in light of all the discussions we are having about large increases in insurance costs. Have you had an opportunity, because I think a consumer advisory group would obviously be one—if consumers had an opportunity, they would probably love to speak with you. I believe our role, as much as possible, is to protect consumers from these increases and find some way to bring them down and get to the bottom of really what is causing them. No matter what is said, I think there isn't great public comfort with what the insurance industry is saying. I don't think there is, and you probably might agree with that.

Is this particular consumer advisory group actively involved in the process of trying to explain or justify or get to the bottom of those increases? Is that part of your role of being a member of that consumer advisory group?

Mr Chestnutt: Basically, what happens is that civil servants who are going to be presenting legislation would come to this consumer advisory committee and say, "This is the legislation that's going to be coming forward." What we do—if you want to call it, for want of a better word—is vent it from a consumer standpoint. In other words, we'll say, "What about this and what about that?"

Mr Gravelle: So you looked at Bill 198 then? The province put forward Bill 198, which was passed in December.

Mr Chestnutt: Which bill was that? I'm not sure. I don't remember bill numbers.

Mr Gravelle: That's one Mrs Ecker brought forward related to making some adjustments to—we're waiting for the rules and regulations to be brought forward now. Is it 198? I think I've got it right.

Mr Crozier: Yes, 198; I forget the title of it.

Mr Gravelle: I forget the title of it as well, but part of the function of that bill was obviously to make some adjustments to costs that would impact on insurance rates. Mrs Ecker has spoken about it recently. Just based on what you said—it would have been the only piece of legislation that the government would recently have brought forward.

Mr Chestnutt: I do remember that. Is that the bill Mr Sampson had some involvement in?

Mr Gravelle: That is correct. That's right; very much so.

Mr Chestnutt: Of course our major concern on that legislation was, would the consumer still have the opportunity to go before the courts? In my belief, the end protector of the consumer is the courts. I was concerned that in that legislation the consumer would not be able to appeal to a higher body if in fact the consumer was only allowed \$1,000 or whatever it was for a loss of a limb. I wanted to ensure that the courts could still have the consumer's case; in other words, they could hire a lawyer, no matter what the amount was that was suggested in the legislation.

With other legislation that doesn't come before that committee, we can still raise it as an issue, like the business of pensions that I was so involved with with Eatons. I was very concerned that they would not allow the employees to share in a surplus. At least I can vent what I think is the consumer's point of view through this committee, and I try to do the same thing on RIBO.

The Chair: Thank you very much, Mr Chestnutt, for being with us. Not only has it been pleasant but it has been informative from all sides. You may step down.

Mr Chestnutt: Thank you very much, Mr Chairman and members of the committee.

1040

DAN HOUSSAR

Review of intended appointment, selected by the official opposition party: Dan Houssar, intended appointee as member, Council of the College of Chiropractists of Ontario.

The Chair: The next individual to appear before us is Mr Dan Houssar, intended appointee as member, Council of the College of Chiropractists of Ontario.

Welcome, sir. I think the water at the committee is safe. I'm not sure about on the opposition side, whether the water over here isn't tampered with by my friends on the government side, but I'm told that's not the case.

As you are aware, you have an opportunity to make an initial statement. Subsequent to that, the questions will begin with the government caucus.

Mr Dan Houssar: Thank you, Mr Chairman and committee members, for this opportunity to appear before this standing committee.

I'm presently fighting off a cold, but being here with you today, I'm starting to feel better already. Maybe it was a good thing to come to Toronto.

I live in Brantford, Ontario, with my wife, Rose, and have three adult children. I am presently employed in vehicle sales, leasing and finance in Paris, Ontario.

During the past 28 years, I have established a record of achievement in leadership positions: as chair of the appeals committee and president of the Council of the College of Massage Therapists of Ontario; four years as president of the Brantford and District Labour Council;

three years as a member of the city of Brantford committee of adjustment; and 11 years as chair of the Brantford entertainment centres board.

I have gained broad experience in the ability to understand and interpret relevant legislation and bylaws. In the position of chair of the appeals committee, I made extensive use of my research, analytical, writing and judgmental skills. Also, during my tenure as chair on the Brantford Police Service board, I was a member of a hearing of a disciplinary appeal under section 64 of the Police Services Act. I also have served as a union nominee on a number of arbitrations with the Aluminum, Brick and Glass Workers International Union.

My education and employment experiences portray an individual who possesses excellent organizational, communication and interpersonal skills. I believe that the talents and skills I have been able to develop through my employment and volunteer experience prepare me well to fill the appointment as a member of the Council of the College of Chiropractors of Ontario.

Thank you for your consideration.

The Chair: Thank you very much, sir. We begin our questions with the government caucus.

Mr Wood: We'll waive the balance of our time.

The Chair: The government caucus has waived its time, so we will move to the official opposition.

Mr Gravelle: Good morning, Mr Houssar, and welcome. We are often interested in just how the appointment came about. I notice that you had been a member of the council of the massage therapists, so presumably that was a government appointment as well. That probably piques our interest even more as to how this appointment came about. Can you let us know what the process was whereby you got offered this appointment?

Mr Houssar: I guess it was the sixth year I was completing on the massage therapy council and I wrote to the Minister of Labour and said, "This is my sixth year. If you're going to reappoint me, I would certainly stand and, if not, if you could see that there was another spot where you would like me to sit, I'd be willing." That's how this appointment came about.

Mr Gravelle: Was this with our present Minister of Labour, Mr Clark?

Mr Houssar: No, the Minister of Health, Tony Clement.

Mr Gravelle: If I may ask you, are you involved in the political process? Are you a member of a political party?

Mr Houssar: I'm a Progressive Conservative member.

Mr Gravelle: So you obviously had your six years with the massage therapists. As Mr Chestnutt pointed out, generally speaking, that is the extent whereby they let it go, and then you've gone into this.

Thank you very much for being so honest about that, but it does beg the question as to why you feel that you will be able to be a helpful member of this council. There are some interesting issues related to chiropractic and podiatry, which I do want to address with you. I would be

curious as to why you think this is a good position for you to be moving into.

Mr Houssar: I think of my understanding of the college system in the province of Ontario. I believe there are 21 councils of colleges in the province. Certainly I'm a team player; I like to believe that within the structure of the council I'd be a valuable asset to the college.

Mr Gravelle: I presume you've done some research related to this particular council. As I'm sure you know, there is—I'm not sure if I would use the word "controversy"—a move afoot in terms of the fact that the role that a chiropractor plays is incredibly similar to the podiatrist, and in fact they've actually limited the number of new podiatrists coming into the system. Have you done some research on this?

Mr Houssar: No, sir. I'm not aware of that.

Mr Gravelle: But may I ask you what research you have done related to this position? Certainly there is a campaign going on, which is actually coming into a lot of our offices, related to the fact that chiropractors should be declared as podiatrists in terms of the work that they do, so I guess again, my question ultimately is, are you aware of any of this? It strikes me as a bit surprising if you're not, because if you're coming on to a council, one expects you would be somewhat conscious of some of the issues related to the council you hope to sit on.

Mr Houssar: Well, there are 21 in the province of Ontario and I'm not aware of that one.

Mr Gravelle: I'm sorry?

Mr Houssar: I'm not aware of any controversy at this point in time.

Mr Gravelle: But are you aware of the whole history of podiatry and chiropractic, the differences, and how the province has regulated both of those professions?

Mr Houssar: No, sir.

Mr Gravelle: It just strikes me as a bit odd, Mr Houssar, that you wouldn't have done some research related to this.

Mr Houssar: Well, I don't find it odd, sir. I'm looking for the public appointment position. I'd probably know more about it if I was a member, and that would be a different appointment. That would be an elected spot on their board. I think I come with a public perspective. No, I don't find it odd.

Mr Gravelle: Yes, and I appreciate that because I do understand that as a public member you're not expected to be an expert. I don't have that expectation either, because it's very clear that isn't the role that one is to play. On the other hand, it does strike me as somewhat odd that you wouldn't be more aware of some of the issues. These are the issues that presumably will come forward, and it would be helpful if you had some thoughts on that.

The Chair: We now move to the third party.

Mr Martin: I guess I'm interested as well in why you would be interested in this appointment, given that your main profession is in the motor vehicle industry. What would attract you to this? What would be the interest for you in doing this?

Mr Houssar: I do have a background in being on the College of Massage Therapists of Ontario.

Mr Martin: And how did you get there? What was the interest there?

Mr Houssar: I was appointed when I put my name forward to serve on a public appointment.

Mr Martin: Was there a concern that you responded to? Was there a particular thing that you wanted to do? Or just out of the blue, you decided to apply for it, or it was recommended that you might serve on this?

Mr Houssar: No, I don't believe so.

Mr Martin: Nothing?

Mr Houssar: Yes.

Mr Martin: In your role as a member of the College of Massage Therapists, were there issues that came up that you had to grapple with or that particularly piqued your interest?

Mr Houssar: No, sir.

Mr Martin: OK, so in coming to the College of Chiropractors, are there things that you think need to be addressed? Is there something in particular that you want to achieve?

Mr Houssar: I would have to review their strategic plan or financial statement, if appointed, and go from there.

1050

Mr Martin: The whole area of health care and the delivery of health care is a concern to many in the province at the moment. The cost of it is always brought up, the interplay between various professionals is always brought up. Is there something in that field or area that you think would be of interest in terms of your contribution on this college?

Mr Houssar: No more than a normal citizen within Ontario.

Mr Martin: OK. Those are all the questions I have.

The Chair: That concludes our questions. You may step down, sir.

We now have an opportunity to deal with the appointments. I'll entertain any motions.

Mr Wood: I move concurrence of Mr Chestnutt.

The Chair: Concurrence has been moved in the case of Mr James T. Chestnutt, intended appointee as member, Council of the Registered Insurance Brokers of Ontario, complaints committee and discipline committee. Any discussion?

Mr Martin: Was concurrence moved?

The Chair: It has been moved.

Mr Martin: It has been moved; OK. I have no real difficulty with this appointment. I think that he brings a long track record of experience in the industry and certainly expresses a concern for the consumer and, in fact, the broker. I think both these folks in the insurance environment that we're in, I would guess, find themselves a bit of a victim of circumstances, and I would hope that we would have somebody on these committees who would understand that and be willing to make sure there was a level playing field and that fairness was the

bottom line. I think Mr Chestnutt will carry out that role effectively.

The Chair: Any other discussion or comments?

Mr Gravelle: Certainly, on a comfort level, Mr Chestnutt seemed to be somebody who is extremely well informed and very thoughtful and has a really excellent background. I have no problem supporting him as well on that basis.

The Chair: Any further comment? If not, I will call the vote.

All in favour? Opposed? The motion is carried.

The next intended appointee is Dan Houssar, intended appointee as member, Council of the College of Chiropractors of Ontario.

Mr Wood: I move concurrence.

The Chair: Concurrence has been moved by Mr Wood. Discussion?

Mr Gravelle: I think that was a very strange interview with Mr Houssar. He did not seem at all comfortable discussing anything related to the position. I know that the government members tend to get angry at us for always asking about political affiliation. I am certainly comfortable saying that people of all parties can be really excellent representatives and should be frequently supported, based on their expertise, to various councils.

This is one that smacked of nothing else except, "I'm a supporter of this party. I served six years on one council and I wanted to go on another one because my time ran out." I can't imagine that the government members were particularly comfortable with the interview that we took part in. I won't speak for Mr Martin; both Mr Martin and I ended up using less than our allotted time. I know my reason was that I didn't know how else to get him to respond to anything. It was a peculiar experience.

I'm sure he's fine man. I have no criticism of him at all in a personal way, but in terms of the position, there are, as he pointed out, 21 of these councils. There are millions of Ontarians, I think, who would be excellent representatives on this, and here's a gentleman who didn't actually seem that interested in it. He certainly didn't think it was worthwhile doing any preparation related to the profession itself.

There are some interesting and very important issues related to chiropractors and podiatrists. The fact that there are fewer podiatrists in the province because no more are being allowed into the field—just that issue alone is one that I won't pretend to be very familiar with, but certainly you would expect someone who was going on the council to be.

It was almost like, "I expect to be given another appointment. I did my six years. I want another one." So it struck me, as I say, that all three parties should be uncomfortable with the approach that he took. We do want good people on these councils, people who really want to be on them for the right reasons. Again, party affiliation isn't necessarily a barrier or advantage—it shouldn't be. We understand how the process works. This one just struck me as being a very poor appoint-

ment. On that basis and others I could go on about, I will not be supporting Mr Houssar.

Mr Martin: Somewhat along the same line, he didn't elaborate on any of the questions we asked. I don't know why he came this morning, except that he was invited. I don't know anything more about him now than I did before he sat down in the chair. I felt there was an attitude that sort of smacked of, "It doesn't matter." This is an important governing body in an area of public service, health care, that needs to be dealt with in a very serious and considerate manner as we move forward and try to manage the money we put in and the delivery of health care, and the interplay between the various professionals that represents. The fact that he served on the College of Massage Therapists doesn't necessarily qualify him to serve on this particular board, the College of Chiropodists of Ontario.

He just didn't seem to be interested or willing to speak with us, with me, in a way that would give me any comfort in supporting his appointment. That's normally what I'm looking for. I've been on this committee for a number of years now, and I've not experienced as dismissive an appointment as I've experienced here this morning. With all of that in mind, there's no level of comfort for me in supporting this appointment.

The Chair: Any other comments? Welcome to the committee, Mr Kormos.

Mr Peter Kormos (Niagara Centre): Thank you kindly, Chair. I appreciate your generosity of spirit and hospitality.

The Chair: I'm always happy to have different members of the Legislature appear at the committee from time to time.

Mr Gravelle, do you have any further comments? If there's no further comments, Mr Kormos has a comment.

Mr Kormos: I was intrigued by Mr Martin's questions to this gentleman, and even more intrigued to his responses to those questions, such as they were.

First of all, the appointment to this regulatory body is not to be taken lightly. The research materials provided to members of the committee indicate very clearly the tension that exists between the practice of podiatry—which has effectively been suspended in terms of new members being admitted to the practice of podiatry here in the province—as compared to chiropody, and then the tension between chiropody and orthopaedic surgery that relates to one being an OHIP-covered practice and the other being a non-OHIP-covered practice.

There are some intricacies here that are very important and that don't necessarily meet the eye at first blush. There are things happening in the community right now, in the area of chiropody and the treatment of people's feet, in terms of the quest on the part of chiropodists to get OHIP coverage, for instance, and the quest on the part of chiropodists to expand the scope of the type of treatment they can undertake.

It's very similar to the quest of optometrists here in Ontario to expand their diagnostic ability to avoid the need to refer to an ophthalmologist, for instance. In view

of the incredible shortage of ophthalmologists, optometrists are lobbying to get equity, if you will, with optometry and practitioners of optometry in other provinces where they have this elevated level of diagnostic ability.

That means it's important who this government appoints to this regulatory body. This isn't a passive organization that's involved in a period of calm right now. On the contrary, the council, the regulatory body for chiropodists, is involved in a very—there's a great deal of fluidity around the practice of chiropody. Having said that, I look at Mr Houssar's CV. God bless. He seems like a fine person. I have no qualms about saying that there's nothing to indicate that he has a criminal record, or that he's less than honest, or less than ethical, and he's certainly literate. He made that quite clear.

1100

But I was just amazed at the passivity that he displayed and the disinterest in chiropody; no indication that he'd even taken the time to investigate, even at a superficial level, current issues around the practice of chiropody. He may well have and it may just have been a flawed interview. Mr Martin may perhaps have been too tough and too intimidating in his cross-examination of Mr Houssar and perhaps silenced him by the brutality of his questioning, and that can happen. I've seen that happen. People freeze, and perhaps that's what happened to Mr Houssar. Maybe he should have another opportunity. But I just find it amazing that this good person would want to be appointed to a body like this regulatory body, which has a very important function to play, right now especially. I would have been pleased, for instance, to have seen a letter attached to his CV from a chiropodist or from the patient of a chiropodist, somebody who had received treatment, saying, "Yes, I think Mr Houssar has demonstrated to me the sort of interest, aptitude, bent that would make him a valuable participant on this regulatory body." We don't have that.

Again, the passivity and almost indifference of his responses to what were some very—when Mr Martin wasn't being brutal and aggressive, he was being very generous in his questions, basically laying out the groundwork for Mr Houssar to say, "Oh, that's right, I'm interested in that particular thing." But he didn't even bite. He didn't even seize the opportunity.

There you go. Why would this government want to appoint this man to this particular regulatory body when there is so much happening in that area, when there is stuff happening that's of great importance to the future of chiropodists, our capacity to recruit and retain new chiropodists and the need to, for instance, involve more people in a more creative way in the delivery of health care? That seems to be almost consistent with the government's—it's certainly consistent with how New Democrats approach health care in terms of wanting to be more creative in the whole role of nurse practitioners, midwifery and so on.

It seems that in this context this gentleman is hardly well-suited. He doesn't demonstrate any characteristics, he didn't articulate any qualities that would make him

well-suited for this particular board. In view of the importance of this position, I'm cautioning government members. What I suspect here—this is just purely speculative, intuitive—

Mr Johnson: Forget it. I wouldn't speculate.

Mr Kormos: No? Well, be careful, because what causes me concern is that this is the sort of appointment that's so quiet and just sort of slips through, because he seems like a relatively innocuous guy. But six months later, like a dog awakened from its sleep, it jumps up and bites you on the butt. You finally discover what the real agenda here was or what the real motive was or what the real interest being pursued was. Do you understand what I'm saying, Chair? It's one of those sleepers.

The Chair: I always understand—

Mr Kormos: Be careful. It's one of those sleepers. It's a Seabrook, if you will.

The Chair: Is that like a sleeper cell?

Mr Kormos: Yes, it's a Seabrook, if you will. I don't think this committee knows enough about this gentleman to confidently say, "Yes, he should be on this regulatory body." I would invite the proponents of his appointment to explain, to change the minds of Mr Gravelle and Mr Martin—certainly mine. I'm easily persuaded of the error of my ways. If I'm wrong, explain to me how I'm wrong, based on what we saw and heard today and based on what has been presented to the committee. A sleeper, a dog that once awoken will jump up and bite you on the butt, drawing blood, no doubt about it; an unleashed, an unchained dog. There's something here that hasn't been revealed yet. I'm not saying it's necessarily evil, but I'm saying it's something that should be of interest.

The Chair: Thank you very much for your contribution.

Mr Kormos: Think nothing of it, Chair.

The Chair: Any others? Mr Spina. You have provoked Mr Spina, I think.

Mr Spina: Just quickly, Mr Chair. Mr Houssar has a good track record, both in industry and in terms of his career skill sets that he brings to the table. With respect to not having sufficient knowledge, as he was questioned by both the opposition members, there are many appointments to these committees as public appointments where they are intended to bring an objective point of view from the community. I think that is just the case here. With the skill sets that he's had, not just in previous committees that he's sat on but also in his personal career, I think he brings some very good skill sets to be able to address issues that will come before the committee.

Therefore, because of that, I am quite confident in supporting Mr Houssar's appointment.

The Chair: Any further comment by any member of the committee or anyone who is in the room? Then we will call the vote.

All in favour?

Mr Kormos: Recorded vote.

The Chair: Recorded vote is requested.

Mr Johnson: It's supposed to be requested before the vote.

The Chair: I'll have to see. Does anybody object to a recorded vote?

Mr Johnson: I do.

Mr Kormos: On a point of order, Mr Chair: You didn't call for the vote until you called for the vote. When you call for the vote, that's when one calls for a recorded vote. One doesn't anticipate the vote.

The Chair: I am informed that the appropriate time to ask for a recorded vote would have been about a second earlier in this particular case. I will ask our clerk to explain this to the committee.

Mr Johnson: Don't be too long. I've already voted.

Clerk of the Committee (Ms Anne Stokes): The Chair clearly said that he was going to put the question. That was when it would be the correct time to ask for a recorded vote. He said that he was going to put the question, and then called the question. As the hands went up, the request was made for the recorded vote.

Mr Kormos: If I may, Chair.

The Chair: Yes, Mr Kormos.

Mr Kormos: I apologize for doing that, but the record will note that the four Conservatives are supporting the appointment of this gentleman, that Mr Gravelle and Mr Martin are opposing the appointment of this gentleman, and that I am adamantly opposed. Unfortunately, not being a member, I can't vote. Thank you kindly, sir.

The Chair: OK, we are now going to vote. If any member wants to have a point of order subsequent to the vote, he or she can have it.

All in favour? Opposed? The motion is carried.

Mr Kormos: Point of order, Mr Chair—

The Chair: Mr Johnson first, and then Mr Kormos.

Mr Johnson: On a point of order, Mr Chair: I'm not sure that it has to be a member of the committee who requests a point of order. Mr Kormos has not been subbed in, is not a member of this committee and is a member of that caucus. As I understand it, he has some standing here, but I'm not sure it's to request a recorded vote.

The Chair: We will find that out in due course.

Mr Kormos: May I respond to that point of order?

The Chair: Mr Kormos, you may respond.

Mr Kormos: On a point of order, Mr Chair: I've been dealing with that point of order from government members for 15 years, even in the period from 1990 through 1995. I assure you that my exercising my statutory right to be at the committee entails points of order. But am I correct, Chair, that it was four in support of that appointment and two opposed?

The Chair: You are correct. It was a correct observation. We will find that information out for our next meeting.

Speaking of next meetings, we look ahead. One of the things I have to get, by the way, is an extension of a deadline for a review of an intended appointee included in the certificates of April 25, 2003, original deadline May 25, 2003. The intended appointee has been extended

once already until June 24. The new deadline is July 24, 2003. There is a medical problem that has prevented the person from coming to the committee previously.

Mr Wood: I ask unanimous consent for extension of the deadline until July 24, 2003.

The Chair: Do we have unanimous consent? OK. Thank you very much.

Lastly, it appears, from the number of proposed appointments coming before us, that we would not have a meeting scheduled next week. That would mean this is the last meeting for David Pond, who is from the legislative library. He has been serving us since, I believe, July 1989, some 14 years. Mr Pond is leaving the Legislative Assembly library and is going to the University of Toronto to become a professor at the university. I know that all members of the committee wish him well.

1110

As we all know, we are served extremely well by a number of officers of the assembly who assist us in doing our jobs as individual members and as government and opposition, and the legislative library plays a very central role in that for all of us in gathering information and providing it in a manner in which we are able to deal with it appropriately. In this committee, members are assisted by background information which is provided to us so that it assists us in asking our questions and gaining a better understanding of the particular agency, board or commission.

So on behalf of myself and I'm sure all members of the committee and of the assembly, I would like to thank Mr Pond for his 14 years of service and wish him well in his new endeavour.

Mr Gravelle: Would it appropriate, Mr Chair, if I add a few words on behalf of the Liberal caucus?

The Chair: It would.

Mr Gravelle: I've had the opportunity to be a member of this committee on two different occasions, and Mr Pond has been the legislative research person involved in almost all those periods of time. I must tell you, I think the general public probably doesn't realize that Mr Pond is one of the key people in terms of making us look pretty intelligent at times. If people think we are well informed, it is because of the fine work that David has done and how helpful he is. I know that the research he does is rather extraordinary and very helpful to all of us in terms of being able to be prepared for the committee.

It's also just a pleasure working with David, if I may say so. He is obviously a very, very personable and kind person, as we've all come to know him quite well; certainly I have. We will miss him very much. We regret that you will no longer be with us in our work here. But we absolutely wish you well. It sounds like an exciting new future for you. Again, your work has been exemplary and I think always done with a certain level of enthusiasm which you've managed to maintain in a remarkably consistent way, which is not always easy to do, but I think you have. As the Chair said, the staff who are here to help us are very much the unsung heroes, and it's nice to have an opportunity to thank you specifically,

especially, David, for the great work you've done. We're very, very grateful. We'll miss you. Good luck in the future.

Mr David Pond: Thank you.

The Chair: Mr Martin, you had your hand up.

Mr Martin: I just wanted to echo some of the comments of Mr Gravelle and say that it has been my experience on this committee for quite some time that Mr Pond—actually, I wanted to make the point that it's not Mr Pond; it's Dr Pond. I don't know how many of us were aware of that; I wasn't until a short while ago, and I should have been because the nature, the efficiency and the depth of the work he did and presented to us certainly indicated a level of expertise and ability that reflects his learned stature.

I wanted to thank him for all of the ways he has provided service and advice to us. Mr Gravelle mentioned that he made us sometimes look more intelligent. Perhaps there were times when he wasn't able to actually do that for some of us. Sometimes it's just impossible. I really did appreciate his contribution, and as Mr Gravelle said, I enjoyed the personal way in which it was done as well.

We work long hours down here, hard hours away from home often, and it isn't always the most pleasant of circumstances, but when you work with people who make it pleasant and fun, it's always easier to do; in fact, sometimes we look forward to it. This is a committee that I've looked forward to coming to, and a lot of that is due to the personnel who serve, and certainly Dr Pond is one of those. I dare say that if Dr Pond came before us as an intended appointee as a professor at the University of Toronto, it would be unanimously approved. Thank you very much.

Mr Wood: I guess I might add that to the extent we don't have strong staff work, we don't have the strong work by MPPs that we'd like to have, so the work that he and all of his colleagues do is quite essential to the function of this place, providing the kind of service to the people that people expect. I think the work he has done, at least over the eight years on and off that I have worked with him, has always been highly competent and done in a very timely fashion and in a totally objective, non-partisan fashion. There are times in this place when all of those challenges are not successfully met. I think he has given an example to others as to how someone who works for the Legislative Assembly can support the political process and make it work better. So I'd like to congratulate him on a job well done, and tell him that we'll now be able to seek some advice and not pay him for it.

The Chair: Thank you very much for the kind comments from all members of the committee. I'm going to do something fairly unusual and give Mr Pond the opportunity to respond.

Mr Pond: Just thank you very much for your very kind remarks. I wasn't expecting this. Just for your edification, since this committee started reviewing order-in-council appointments in 1990, you have reviewed 760,

which is a higher workload than any similar committee anywhere in the Commonwealth. I'll leave you with that number.

The Chair: Thank you very much, Mr Pond.

Members of the committee, I will consult with you as to the timing of the next meeting of the committee. We, as you know, even when the House isn't sitting, always seem to sit. This committee has always been an interesting committee to be on. Mr Martin, before we depart?

Mr Martin: I just wanted to know if Mr Pond has done any further analysis, like how many of those appointments were Conservatives.

The Chair: He said from 1990, so that's—only a member of the Liberal caucus could ask that question, because before that there wasn't such a committee.

Members of the committee, thank you very much. I will consult you to see when we would sit in the future. I'll entertain a motion of adjournment.

Mr Wood: So moved.

Mr Frank Mazzilli (London-Fanshawe): So moved.

The Chair: I'm going to say "Mr Mazzilli" in this case, to get his name on the record. Mr Mazzilli has moved adjournment. All in favour? Opposed? The motion is carried.

The committee adjourned at 1116.

CONTENTS

Wednesday 18 June 2003

Subcommittee report	A-55
Intended appointments.....	A-55
Mr James Chestnutt	A-55
Mr Dan Houssar	A-59

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Wayne Wettlaufer (Kitchener Centre / -Centre PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Bruce Crozier (Essex L)

Mr Joseph Spina (Brampton Centre / -Centre PC)

Also taking part / Autres participants et participantes

Mr Peter Kormos (Niagara Centre / -Centre ND)

Clerk / Greffière

Ms Anne Stokes

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

12-19
-652



A-6

A-6

ISSN 1180-4335

Legislative Assembly of Ontario

Fourth Session, 37th Parliament

Assemblée législative de l'Ontario

Quatrième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 16 July 2003

Journal des débats (Hansard)

Mercredi 16 juillet 2003

**Standing committee on
government agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues

Chair: James J. Bradley
Clerk: Anne Stokes



Président : James J. Bradley
Greffière : Anne Stokes

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 16 July 2003

Mercredi 16 juillet 2003

The committee met at 1008 in room 151.

SUBCOMMITTEE REPORTS

The Chair (Mr James J. Bradley): I'll call the meeting to order. The first item of business is the report of the subcommittee on committee business dated Thursday, June 19, 2003.

Mr Bob Wood (London West): I move its adoption.

The Chair: Mr Wood has moved its adoption. Is there any discussion? If not, all in favour? Opposed? The motion is carried.

The second item is the report of the subcommittee on committee business dated Thursday, June 26, 2003.

Mr Wood: I move its adoption.

The Chair: Mr Wood has moved its adoption. Any discussion? If not, all in favour? Opposed? The motion is carried.

The third item is the report of the subcommittee on committee business dated Thursday, July 3, 2003.

Mr Wood: I move its adoption.

The Chair: Its adoption has been moved by Mr Wood. Any discussion? If not, we'll call the vote. All in favour? Opposed? The motion is carried.

Before we begin the appointments review, I want to thank members of the committee for your co-operation in scheduling people to be before the committee. We're in a different schedule in the summer, and therefore the extension is appreciated very much by the Chair.

Mr Tony Martin (Sault Ste Marie): I just wanted to note that perhaps we could vote on the morning appointments at noon, because I'm not sure if I'll be able to stay for the full afternoon.

The Chair: Is that fine with the—

Mr Wood: Provided the opposition is very concise, as it always is, in its questions, we might be prepared to consider it.

Interjection: As always.

Mr Wood: Almost always. You're right. That was an overstatement.

Mr Martin: It's summertime and we'll try to co-operate.

Mr Wood: We'll do the best we can.

INTENDED APPOINTMENTS

LINDA NOWICKI

Review of intended appointment, selected by official opposition party: Linda Nowicki, intended appointee as member, Town of Michipicoten Police Services Board.

The Chair: Our first selection is Linda Nowicki, who is an intended appointee as member, Town of—

Mr Martin: Michipicoten.

The Chair: —Michipicoten Police Services Board. You'll forgive me, because I didn't even get a chance to read this before I got in. Welcome to the committee. As I think you would be fully aware, you have a chance to make an initial statement if you see fit, and then we begin questioning from members of the committee who wish to question you.

Ms Linda Nowicki: Thank you very much. Good morning, ladies and gentlemen.

I have been told that I have the ability to get to the crux of a matter, so I'll get to the crux of the matter. I believe I am here so that you can learn about who I am.

When did I come to Wawa? After completing one year at Laurentian University in a languages program, majoring in English and French with a minor in Russian, I married Stan from Wawa. I worked for a year while he finished his year at teachers' college in Kingston, and we moved to Wawa.

Employment opportunities for ambitious young women were scarce. I worked my way from a cashier at Canadian Tire to a filing clerk at the Bank of Montreal to a teller position at the Royal Bank, all within a year. After two years at the bank, I decided there was no future for me there. That was proven by the comment of one of the managers, who had the nerve to say to me, "After all, what more can you do? You're a married woman in Wawa." I said goodbye.

I went to work for a local real estate and insurance broker as his sole employee. During my employment there, I studied and travelled to courses to obtain an insurance broker's licence. I ran that gentleman's business for six years, when suddenly he announced that he had sold it without any notification to me. It hadn't occurred to him that a married woman would be interested in such a business. There's that stigma again.

Then and there, I decided to go into business for myself. In partnership with a major firm in Sault Ste Marie, Dawson and Keenan Insurance Ltd, I opened a branch office in Wawa, and from the ground up I built a

profitable business that I sold 10 years later. That business has now been in Wawa for over 20 years.

Never content to do one thing at a time, during my ownership of the insurance business I studied and travelled again for courses to obtain my real estate licence. I opened a sub-branch of the Century 21 office in Sault Ste Marie. When the main office closed, I opened my own real estate office in Wawa, I-deal Real Estate Ltd. This business marks its 15th anniversary this year.

I was back to one business, and content to be so, but another opportunity presented itself. Six years ago, rather than see the local H&R Block franchise close, I purchased it and hired staff to run it.

Last year, my office became the local representative for the Superior Wireless cellphone service provider in the area. Yes, we finally have cellphones. They don't work all over the place, but they do work.

I have managed to survive all the ups and downs of our local economy by working hard and diversifying. When I'm not working, I volunteer as president of the Wawa Humane Society. I am one of its founding members. In the past year I joined the economic development corporation, and I am on the executive there as treasurer-secretary. I had served on the former Wawa Economic Development Corp in the early 1990s and on the chamber of commerce. I follow local politics closely and attend council meetings regularly.

For entertainment, I like to entertain. I was a member of the soprano section of the local non-denominational choir during its 11 years.

I am able to manage all these activities with the help of my husband. At the time he was laid off at Algoma Ore, the real estate business became very busy. Rather than look for work elsewhere, he became my right hand. He obtained his real estate licence. He has freed me from home duties and assists with administrative and general office work.

In the past, my business schedule kept me from participating in areas where I would have liked to, such as the police services board and municipal council. Diversification has allowed me to hire employees to assist in all areas and relieve me of the administrative tasks of my work. I have more time now, despite owning three businesses.

As a police services board member representing this government, I will strive to maintain the safe community that Wawa has remained. I will lend support to the chief, the officers and the staff who make it so, and though I may not always agree with them, I will respect my fellow board members and their opinions and decisions.

I believe in being well informed. I spend much time reading and researching to get all the facts needed to make sound decisions. I'm happy to be here before you and to respond to any questions that you might have. Thank you.

The Chair: Thank you very much. We begin our questioning with the government.

Mr Bert Johnson (Perth-Middlesex): Linda, I'm impressed with your background. I just wanted to correct

one thing, and that is that you said you would be a representative of this government on the police services board. Indeed, you will be appointed by this government, if that is the way this committee votes today, but I wanted just to say that I hope and trust that your constituency, your background and so on, will be mostly those people who live within the area policed by the services in that community, as opposed to feeling that there's something that you owe to them from Toronto or the government and so on.

I wanted to ask about when you started in the insurance business. About what year was that?

Ms Nowicki: In 1981 I opened my own office.

Mr Johnson: That was after what we would have called the crunch of 1975, which isn't too much different than the one right now.

When did you start in real estate?

Ms Nowicki: I started in real estate about five years after I began in insurance. I was one of the few to be grandfathered so that I could hold both licences. I have since allowed the insurance licence to lapse.

Mr Johnson: As you can tell, I'm quite a bit older than that, and I was grandfathered into the life as well—maybe great-grandfathered, or whatever they call it now.

I wanted to ask a little about your experiences when you were developing and eventually selling. I noticed that you were overlooked as a potential purchaser of the business that you worked in. That must have been kind of a blow to you. I see that you learned from it, because you looked at an employee in the future as a purchaser of your business eventually.

Ms Nowicki: Oh, absolutely, and a young man. I hate to say that, but there aren't too many ambitious women who would have had the resources to buy the business. The number of businesswomen in the area is limited.

I would like to go back to your comment about my comment referring to representing this government. I'm not referring to the fact that I represent the government, but I think on the police services board, when you are the provincial appointee, you have to take more of a provincially less biased, less parochial approach. I feel that I would be a more neutral person having been the provincial appointee rather than a local appointee. Certainly my duty is to provide police services within the act and in the interest of the constituents within Wawa. But I think the responsibility or the onus on the provincial representative is to take a broader view, and that's more what I had in mind.

Mr Johnson: I think and trust from the comments you've made so far that you'll take a broad view in your approach. I am impressed with your background. I think you will have a positive contribution in that and eventually in municipal politics if you decide that is a challenge for you too.

Ms Nowicki: That decision is still in the air.

Mr Johnson: That's all I had, Mr Chairman.

The Chair: Would it be fair to say, Mr Johnson, that you are a proud grandfather, then, since you were grandfathered?

Mr Johnson: Do you have to be a grandfather to be a great-grandfather?

The Chair: Good line, sir.

We're going to move now to the official opposition.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Good morning, Ms Nowicki, and thank you for coming. I'm always very interested to understand how it is that people arrive here as intended appointees. How is it that you have come to be an intended appointee to the Michipicoten Police Services Board?

Ms Nowicki: As I said, I follow local municipal politics. I attend the council meetings. There are reports that come over from the police services board. I have actually followed the police services board fairly closely for the last two years. I became aware of the appointment.

Mrs Dombrowsky: How?

Ms Nowicki: The initial awareness? I believe I was speaking with someone from council and they mentioned that the provincial appointment was up. I was also aware that there was a municipal appointment not too long ago and I thought of doing it then, but it just wasn't quite right. Now I'm comfortable with assuming a position.

1020

Mrs Dombrowsky: So when you were given to understand that there might be an opening, what did you do?

Ms Nowicki: I wrote a letter.

Mrs Dombrowsky: To whom?

Ms Nowicki: To Mary McDonald.

Mrs Dombrowsky: To Mary McDonald, who would be?

Ms Nowicki: Mary McDonald is—now you've got me there. I left that paperwork at home. I understood that she was the one who makes recommendations. This name was given to me by a previous police services board member, along with the address, and I was told that she was the one who makes recommendations to cabinet.

Mrs Dombrowsky: I see. Now, you would indicate that you are interested politically at the municipal level. Are you interested at the provincial level?

Ms Nowicki: No.

Mrs Dombrowsky: Are you a member of a political party?

Ms Nowicki: I am a member of the Conservative Party. I've been giving that some very heavy thought lately.

Mrs Dombrowsky: Have you participated in election campaigns?

Ms Nowicki: No, I have not been in election campaigns.

Mrs Dombrowsky: OK. When you say that it came to your attention from a member of council that there would be an opening, are you aware that the person you would be replacing had a will to continue in that role?

Ms Nowicki: Yes, I was aware of that.

Mrs Dombrowsky: Are you aware that the chair of the police services board has written to the minister to

request consideration for that person to be able to continue, as can happen? Are you aware of that?

Ms Nowicki: Yes, I am. I have been following the minutes and I read that in, I believe, their April minutes of this year. They instructed that a letter be written and that the chair try to call Mr Runciman.

Mrs Dombrowsky: So you were aware that there certainly was an effort on the part of the people within the community to retain the person who has been serving as the provincial appointee.

Ms Nowicki: I was aware there was an effort on the part of the police services board to retain that appointee.

Mrs Dombrowsky: Did I say something different there?

Ms Nowicki: You said "the community."

Mrs Dombrowsky: They don't represent the community?

Ms Nowicki: They represent the community, but I believe the impetus came from the board.

Mrs Dombrowsky: So was your decision to pursue this position before or after you knew this particular letter and effort were underway?

Ms Nowicki: This was after.

Mrs Dombrowsky: It was after.

Ms Nowicki: Yes.

Mrs Dombrowsky: Given that there is some question or some controversy about the position, that there's obviously another person who has been doing the role for two years who wanted to continue and that there was very obviously a will of the police services board to have that person continue—they wrote a letter and, as you would indicate, would contact the minister directly—do you see that that would present any kind of particular problem or challenge when you're appointed to this police services board?

Ms Nowicki: I don't think so. In the past this has occurred, where an appointee wanted to remain and did not. I don't see a problem in working with the rest of the board. I know they were very concerned because she was working on a project, apparently updating the business plan. I question why it has taken 18 months to complete an update of the business plan. I have reviewed the business plan and I see no problem, if necessary, with continuing that myself, except that now I see that the board has passed a resolution to hire that individual to complete the plan by September.

Mrs Dombrowsky: How would you feel if, when you have been on the police services board and may want to continue, something of this nature were to happen to you?

Ms Nowicki: I can accept it. I accept political decisions. I don't think I would be insulted. As I say, I would accept it. I understand the workings of politics and it wouldn't bother me.

Mrs Dombrowsky: OK. I think my colleague has some questions. Thank you, Ms Nowicki.

Mr Michael Gravelle (Thunder Bay-Superior North): If I may just pursue this a little bit further, it's my understanding too that the police services board

recently expanded to five members from three members, and it has something to do with a difficulty in filling vacancies. Is that what your understanding is of why the board moved to five members as opposed to three? What I'm leading to is, I'm still curious as to whether you have any knowledge as to why the province did not choose to reappoint the person. It does seem possible that they could have made that reappointment and appointed you as well. That's what I'm wondering about.

I'm just curious as to whether you have any insight. Here you've got the chief and the board wishing to have a person reappointed. It seems very peculiar. You would tend to think the province would respect that appointment. Anyway, can you fill me in on what your awareness is about the expansion from the three- to five-member board and whether that had any impact on the decision in terms of the previous appointee?

Ms Nowicki: We were previously a five-member board and then we went down to a three-member board, and that did present problems with attendance and with appointments. They felt it was better to go back to a five-member board, and I think they also thought that five heads are better than three. Some of the decisions of the three-member board were controversial, so I believe the move to go to a five-member board was to provide more discussion of issues.

As for me replacing this individual, I would only hope that whoever interviewed me and whoever looked at my resumé feels I can do an equal or better job.

Mr Gravelle: It certainly is meant as no measure of disrespect toward you as a potential appointee. It just seems very strange when you've got somebody who obviously was on the board and served in a fashion that the chief of police and others in the municipality thought she should be reappointed. Do you have any personal insight as to why—and I guess we probably should not be throwing her name out—the province would not want to reappoint that particular person?

Ms Nowicki: No, I do not. I can't speak for the province. I can only speak for what I know about what has been happening on the board and that particular individual—

Mr Gravelle: If you could.

Ms Nowicki: I was at a meeting where she chastised municipal council for even suggesting that we go to Ontario provincial policing. Her view on that, as far as I know, is still adamant that we should maintain our local police force at all costs. We cannot make such decisions without considering all the ramifications. We have a \$1.1-million police budget. In my opinion, we can't rule out any possibility in the future and we have to look at all possibilities of providing our police services at a reasonable cost. I know that she's adamantly in favour of maintaining the local police force. Whether that has any bearing on her reappointment—

Mr Gravelle: The previous appointee was in favour of keeping local—

Ms Nowicki: The previous appointee—

Mr Gravelle: May I say my understanding also is that the potential move to the OPP was more expensive, and that was one of the reasons as well.

Ms Nowicki: That was a costing done in 1990. I understand that certain things may not have been taken into consideration at the time when doing that costing. The OPP quote was higher, but theirs already included the minimum standards that were going to be imposed upon us. They also included 24-hour dispatching, which we did not have yet. Since that time we have incurred some very large expenses, and I think it's probably time to take another look at it, in all fairness to the taxpayers.

Mr Gravelle: So your inclination would be perhaps to move toward having OPP jurisdiction or management—

Ms Nowicki: No, I think we should look at it.

Mr Gravelle: May I ask if you've had any discussions with any politicians, any elected members. I think you mentioned a member of the civil service, but have you had any discussions with any of them?

Ms Nowicki: No, I have not.

The Chair: Last question.

Mr Gravelle: I'm curious about your point that being a provincial representative means you look at it in a different way. I'm not sure I completely agree with you, if I understand you. You are obviously a local resident. How would it be different in terms of your viewpoint? You said "less parochial." What does that mean? It seems to me that with a small force like this and with specific responsibilities, you really should very much be looking at it from a regional or local area. So without going on too long, I'm curious about what you really mean by that.

Ms Nowicki: I'm definitely looking at it from a regional area, what is best for Wawa. But I think I will keep more in mind the policies that are put down from the government. I will tend to look at the rules and procedures that the government dictates to make sure those are in place. That's the area I'm looking at: to be very familiar with the Police Services Act, with what the government wants in police service forces and to make sure Wawa meets those requirements while meeting the needs of the community.

1030

Mr Gravelle: Fair enough. Thank you.

Mr Martin: Being that Wawa is sort of my home town, I have an interest—

Ms Nowicki: Sort of, eh?

Mr Martin: Sort of, yes. I have to be careful because, representing the Soo, they don't like to hear me say that some other place might be my home town. But I have an interest in this. In seeking out an appointment to the police services board, are there particular issues that are of concern to you that you want to get a chance to have a go at?

Ms Nowicki: There are no major issues. There's one area of concern, and it was mentioned in one of the police services board meetings not too long ago. It referred to our emergency plan for the community, and it was left at that. The police chief indicated that the CAO of the community was working on it.

I am aware that that plan was revamped in January 2002 and is still sitting there; it has not gone to the department heads. My concern is, where is that plan? That should be in the hands of the police chief as well as all the department heads so that if there is some emergency, they have the manual to refer to. My understanding is that it's not there yet. Considering that the police services board is mandated with the safety of the community, I think we should be pursuing that with council, and that's one of the things that I would immediately bring up.

Mr Martin: Anything else? Any other issues?

Ms Nowicki: No. Wawa is a very safe community. I would say most of us don't lock our doors yet. When I sell houses, they often tell me, "I don't have a key for the front door and I've got to look for the key for the back door."

Our service is doing a good job. I really don't have any complaints or any issues. I'm merely interested in finding out how it functions and learning more about it and contributing what I can.

Mr Martin: Do you have any issues with the chief?

Ms Nowicki: I don't have issues with the chief. He may have issues with me. I did write a letter to the editor some years ago expressing my concern over his demeanour at a public meeting. He was very upset that a member of council had put forth that we should look at OPP costing again and attended that council meeting, and, in my opinion, instead of attacking the issue, attacked the person. I wrote a letter stating that I thought that was inappropriate and that members of council should have done something. So at that time I did criticize him publicly. Other than that, I have no problem with his work. I have no problem with the man. I hope he's professional enough to be able to deal with me.

Mr Martin: And if he's not?

Ms Nowicki: I can handle that. I can remain professional.

Mr Martin: One of the issues that you certainly seem to be focused on and critical of your predecessor about is this issue of whether Michipicoten should be looking at OPP versus a municipal force. It's obvious to me—maybe I'm reading this wrong—that you would be in favour of looking at the possibility of the OPP. Give me some of your thoughts on that whole issue.

Ms Nowicki: I certainly prefer to keep our own local police force, but considering the financial restraints of our community, we have to look at it. If going OPP was to cost us a little bit less, I think I would still stay with our own force unless there's a significant savings. But I think we really have to look at it. The community of Elliot Lake just looked at it and they saved \$250,000 with their force. Ours is much smaller, so I don't know that the savings would be that much, but considering the financial constraints of our community and the size of the budget relative to the expenditures of the community, it's something I wouldn't push to look at immediately, but I would certainly keep an open mind as to whether we should do it or not.

Mr Martin: So it would and will become a fairly significant issue for you.

Ms Nowicki: Possibly, once I get into the budget, once I'm allowed to see the budget and determine where the expenses are. I would much prefer to cut within our own budget and maintain our own police force, but if we have cut to the bare bones and it's still very expensive and there's the possibility that we might save \$100,000 a year, it is something that we have to look at with the position that our municipality is in.

Mr Martin: Could this become a bit of an obsession with you?

Ms Nowicki: Not at all. It won't even be the first thing. I might not even bring it up for a year. As I say, I want to look at all aspects of policing within the community, and that is one of them. I don't want to close my mind and say, "No, we're never going to do that." I don't think you can do that and properly represent the community.

Mr Martin: Certainly your history and track record in Wawa is one of taking on an issue and becoming a bit of a pit bull with it and not letting go of it until it's—I don't know; I'm not sure when you finally let go of things.

Ms Nowicki: There is a saying that you must have the courage to change the things you can, the serenity to accept the things you cannot change and the wisdom to know the difference. I'm lacking a little in the serenity, but I'm working on it, and the wisdom is coming.

As far as OPP costing, I think it was about eight years before we did the OPP costing. Council was proposing that. At the time, I had some very grave concerns because I felt that two members of council were adamant that we would go OPP and that a fair comparison would not be made. I stood up at a public meeting and grilled one of the councillors, which led an OPP group to think that I was anti-OPP, which was not the case at all. I was merely trying to establish if there would be a fair comparison, because I did not want our local municipal police force to be at a disadvantage. That cost me a lot of business, but I would still not change what I did, because I felt it was right. I wanted to expose those councillors as being closed-minded about keeping our local police force.

So what I'm saying to you is that I sit in the middle. I analyze all aspects before I make a decision. Even if we had a report that said the OPP was slightly less costly, I would really have to think twice before making the decision to go that way.

Mr Martin: As you know, when you become part of a board such as this, we all come to it with our own perspective, we do our homework and we fight the good fight on the issues that we feel strongly about, and then at the end of the day as a committee we make a decision and then we move forward. Your ability to move forward—sometimes you win, sometimes you lose. I've learned that down here in spades over 13 years. Your ability to lose gracefully or to move forward in the interests of the broader community, having had a decision made that maybe you didn't agree with—you had mentioned earlier that one of the reasons they went from a

three-member board to a five-member board was that the three-member board was pretty controversial or wasn't able to get along or perhaps make decisions or whatever; I'm not sure. But what's to give me confidence that in making this appointment we won't be putting somebody on there who just isn't going to be able to get to agreements that will be in the best interests of the community?

Ms Nowicki: If you look at my record on the economic development corporation, on the chamber of commerce previously and the previous economic development corporation, we've been able to debate and discuss and disagree and then come back and support whatever decision the majority makes. I'm capable of doing that.

Mr Martin: OK. Thank you very much.

The Chair: Thank you very much for being with us today. You may step down.

HELEN BUCKLEY-ROUTH

Review of intended appointment, selected by official opposition party: Helen Buckley-Routh, intended appointee as member, Social Benefits Tribunal.

The Chair: Our next intended appointee is Helen Buckley-Routh, intended appointee as member, Social Benefits Tribunal. Welcome to the committee. Again, you would know that you have an opportunity to make an initial statement, and subsequent to that there will be questions from members of the committee.

Ms Helen Buckley-Routh: Thank you very much. Mr Chair and honourable members, I appreciate the opportunity to speak with you today. I am extremely honoured to be considered for an appointment as a member of the Social Benefits Tribunal. While I feel that I have much to learn in regard to the laws that govern the mandate of the Social Benefits Tribunal, I am a person who has consistently shown determination, and I always rise to the challenge of a new assignment.

French is my first language. Some of you may question this statement as you look at my name. My father was anglophone and my mother was a bilingual franco-phone. I was born in Moncton, New Brunswick. My father died when I was five months old, so my mother chose to move back to Quebec with her four children in order to get support from her parents. My mother remarried a French Gaspésian when I was five years old and proceeded to have six more children.

When I was 12, I decided that it was time to learn English, so I enrolled in English school. My first few months as a unilingual French-speaking person within a regular English class were interesting, to say the least. But I was determined, and by Christmas I had an 85% average on my report card. My bilingualism will be especially useful in my role as a member of the tribunal as I can deal equally well with both French and English cases.

1040

Presently I am self-employed as a translator and have translated numerous documents, including newspaper

articles; employment contracts; letters; ethics guidelines; confidentiality declarations; and various manuals, including for the home alone program, which will be used by latchkey children across Canada, and Training Peer Counsellors for Adult Survivors of Childhood Sexual Abuse. I always respect the privacy of individuals who give me sensitive or personal documents to translate. As a member of the tribunal, I will continue to respect the rights of appellants to privacy regarding their cases.

I previously worked under contract at the Trenton Military Family Resource Centre as a translator, and I also translated job orders for HRDC and placed them on their telephone system. While at the MFRC, I always volunteered to pitch in and help any of the other employees during my free time. I sometimes filled in as a receptionist, helped in the daycare centre, prepared deployment packages or did anything else that helped the centre fulfill its role.

I have been a schoolteacher for 26 years, and during that time I've always adapted quickly to changes in curriculum. In the last 10 years or so of my teaching career, teachers who had trouble implementing the new curriculum were often referred to me by school board officials so that I could give them guidance and feedback. On several occasions, young inexperienced teachers came to observe me while I was teaching.

I have also been able to evaluate students in a fair manner, remaining impartial even when I had to deal with my own three children within my classroom. I have often had to resolve conflicts among students, especially during my years as an elementary school teacher. For many years, I was chosen to be the staff representative at union meetings because my peers felt that I took the time to gather their views on issues and represented the whole staff rather than simply expressing my own views. After the meeting I gave them an impartial report of what had been discussed, adopted or defeated. In my role as a member of the Social Benefits Tribunal, I would also remain completely impartial while applying the laws to my decisions regarding the appellants' cases.

My involvement as an officer and member of the Royal Canadian Legion, the Ladies Auxiliary and the Order of the Eastern Star show my desire to improve the lives of others. This past year, our Cobourg chapter of the Order of the Eastern Star has been able to raise over \$20,000. This money has been distributed to various local, provincial and national charities. My work within the chapter so impressed certain officers of the Grand Chapter of Ontario that I was honoured with an appointment as Grand Page for the Grand Chapter of sessions that will take place in Toronto in August of this year.

On a personal level, I have a great deal of time to devote to a new venture as my children are all grown up. My youngest is in her last year at Trent University and my two boys have completed their studies and are now both working. I will be available to travel as much as this position demands. My husband is also very supportive of my endeavours.

I thank you very much for taking time to listen to my presentation and welcome the opportunity to serve the people of this great province as a member of the Social Benefits Tribunal.

The Chair: Thank you very much. We begin the questioning with the official opposition.

Mrs Dombrowsky: Good morning, Ms Buckley-Routh. Thank you for coming this morning. I've had an opportunity to review your resumé. Perhaps you could explain—you probably heard me ask the previous intended appointee—how it is that you've come to be here this morning.

Ms Buckley-Routh: As I said before, I've been translating and I've been doing it from home, but I'm a social person. Right now, people send me stuff; I get it from all over. They send it by e-mail and I send it back, and I meet them maybe once a year. So I was looking forward to interacting with people, because I miss my years of teaching. When I came to Ontario, I couldn't teach any more. Therefore, I decided that I would branch out and use some of my skills. But I found that to me it's not a real job, translating. It just doesn't offer any challenges. So about four months ago, I went to my local constituency office and I said to—

Mrs Dombrowsky: And that would be who?

Ms Buckley-Routh: That was in Cobourg, and I met Mr Boreham, my MPP's executive assistant, and I told him of my interests.

Mrs Dombrowsky: Your MPP would be who?

Ms Buckley-Routh: Dr Galt. I told him of my interest in using my skills to the benefit of the government of Ontario and the people of Ontario. He told me to bring my CV to the office, so I did. When this position became available, I was contacted. I wasn't sure, so I went to the Internet and checked the social benefits Web site. I found it absolutely fascinating that I could possibly help some disadvantaged people, because as a child, my father having died when I was five months old without any insurance and my mother having to—you know. So I felt I could help.

Mrs Dombrowsky: So you didn't have any particular interest in the Social Benefits Tribunal, but you wanted a job?

Ms Buckley-Routh: Not prior to that; but when I saw that, I was so interested that I told Mr Boreham to forward my CV to the Public Appointments Secretariat.

Mrs Dombrowsky: Do you find it unusual? There are lots of people in my riding looking for jobs. They don't usually come to my office. I'm just curious why you would have gone to your MPP to look for a job.

Ms Buckley-Routh: I'd been applying to different places prior to that, and I decided to take the bull by the horns and basically see if I could get myself a little bit known by going to the office.

Mrs Dombrowsky: Are you involved politically otherwise?

Ms Buckley-Routh: No. I'm a member of the PC Party, but I—

Mrs Dombrowsky: You are a member of the PC Party. Have you worked on a campaign, have you

worked on a nomination, have you been a member of the executive?

Ms Buckley-Routh: No.

Mrs Dombrowsky: Have you made a commitment to this campaign?

Ms Buckley-Routh: No, I haven't.

Mrs Dombrowsky: You haven't; you're just a card-carrying member?

Ms Buckley-Routh: That's right.

Mrs Dombrowsky: So you were known as a member when you entered the office?

Ms Buckley-Routh: I had met Mr Boreham before, and I had met Mr Galt because I've been to information sessions.

Mrs Dombrowsky: I certainly can appreciate it when you explain that you would have a need for more social interaction in your place of work. The Social Benefits Tribunal, however, in my opinion, is a very important body. It is a quasi-judicial body that will require you to fulfill a role as an adjudicator. I was just wondering if perhaps you could explain to me any of your life experiences up until now where you would have had some experience in an adjudicating role?

Ms Buckley-Routh: I'm not very good at giving speeches, but for many years I was a judge at a speech contest. Even though I knew some of the participants, I did not favour them. I kept very impartial. So I think I can be very impartial no matter what. As I told you before in my presentation, I had to handle my children in the classroom. As a mother, you'd like to give them all 90s or 100s or whatever, but as a teacher, I had to remain impartial, and I marked them as I would anybody else.

Mrs Dombrowsky: Were you a hard marker?

Ms Buckley-Routh: Pardon?

Mrs Dombrowsky: Were you a hard marker?

Ms Buckley-Routh: Well, some people may have thought so, but I thought I was very, very good. Actually, I still keep in touch with a lot of my former students. In fact, I just got a call about a month ago from a former student who told me I was her mentor. Her parents had been on welfare, and I had guided her as her teacher and encouraged her to finish her studies and move, because where we lived, there were not many opportunities for young people. She's in Ontario and has been working for the last 15 years or so.

Mrs Dombrowsky: Are you aware that when people arrive at the Social Benefits Tribunal, it is sort of a court of last resort for them?

Ms Buckley-Routh: I am aware of that, yes.

Mrs Dombrowsky: You will be hearing about some very desperate personal situations. If I could ask you, what is your opinion of the social welfare reforms that have been undertaken by this government?

Ms Buckley-Routh: Well, the receipt of social assistance benefits is really intended to be a temporary measure leading to employment. If it's made too appealing, it will encourage more people to want to live that way.

1050

Mrs Dombrowsky: What if you're disabled, though?

Ms Buckley-Routh: I have no problem with anybody disabled who needs any help.

Mrs Dombrowsky: Are you aware there has not been an increase for folks on disability for 10 years?

Ms Buckley-Routh: Yes, I am. I don't make the rules; I have to live by the rules. If I could change the rules, I would, but my job at the Social Benefits Tribunal is not to try to change the legislation in place, it's to try to work with it and to try to find leeway where I can help the clients while respecting the laws.

Mrs Dombrowsky: I'm sorry, I did interrupt you, and I know that Mr Gravelle has a question, but again, if I could clarify your opinion on the social welfare reforms undertaken by this government, do you think they've done a good job? Do you think they've gone too far? Do you think they've not gone far enough?

Ms Buckley-Routh: This is a hard question because I think it—

Mrs Dombrowsky: Time is passing. Maybe Mr Gravelle—

Ms Buckley-Routh: I'm just not too sure. I'd like to tell you that when I get the training, I will try to get as much information to be as good in the position as I can be. Right now I'd rather not put myself in the position of expressing a view which is not really my position. I would like to find out from the chair or whoever is doing the training what are the leeways and what are the things that I can do for the people.

Mrs Dombrowsky: I would only suggest that in your role on the tribunal as an adjudicator you will be faced with a similar kind of situation that I just placed you in, where you will have to make a decision, you will have to have an opinion and you will have to make a choice.

Ms Buckley-Routh: I will, but I will not have to make a decision; I will have time to review my decision. I have 60 days after—well, within a 60-day limit—to review my decision. So this time gives me time to check the laws, to review not only the person's case but also the office or—

Mrs Dombrowsky: But I asked you about your opinion on this government's reforms, so it's not about a case.

Mr Gravelle: Good morning, Ms Buckley-Routh. We bumped into each other on the way into the building this morning, and I tried to tell Ms Buckley-Routh that she needn't be nervous and that she should just be herself. She said she tended to be very straightforward, which is really what we are looking for.

How you feel about the policies of a government really is significant when you're going to move into a position such as this. These are significant positions within the government. They pay significantly. That's why it's important to us to find out how the appointment comes about, but it's also why we think it's so very, very important to get a sense of how you feel about things. There have been—obviously in my position—some social assistance reforms that we think have had, in many

cases, a devastating impact on people who are trying to receive assistance. I can think of a number of examples.

The question I'll ask you first is, are you familiar with all the reforms, changes to the system, that have taken place since 1995?

Ms Buckley-Routh: Yes, I am.

Mr Gravelle: Would you feel comfortable, if the appointment goes through, speaking out in opposition to something if you think it's unfair, or do you feel simply, "I've got a job to do. I'm not going to express any opinion"? What is in your heart?

Let me give an example: the fact that liens can be placed on the homes of social assistance recipients, people who have a home. If they've collected more than 12 months, they've got a lien. That's one that I know my colleague Ms Dombrowsky particularly raised in the Legislature. To us it was a horrifying thing. Talk about a disincentive in terms of the future. Do you have an opinion on that, for example?

Ms Buckley-Routh: I'd like to have an opinion. As a teacher, I would be straightforward with you, but if I go by what it says on the jurisdiction of the tribunal, as per subsections 67(1) and 67(2) of the Ontario Works Act, I am not to inquire or make a decision on an act or regulation concerning the constitutional validity of a provision of an act or regulation or the legislative authority for a regulation made under an act. So I have my hands tied.

All I can hope is to do the very best that I can. Of course I am very supportive of people who are in dire need, and of course I don't want to see anybody with no food or no shelter, and of course if money was not an object and the government had lots of money, it would not be a problem for me at all. I just say that I will be under certain guidelines that I will have to follow.

Mr Gravelle: I appreciate what you're saying, and I also appreciate that you received fairly precise instructions as to what you can and cannot say today, and I notice you're referring to notes even in terms of some responses.

Ms Buckley-Routh: I checked this on the Internet. I found this on the Internet. It just gave me an idea of where I was supposed to be and what I was supposed to do.

Mr Gravelle: But I trust you'll appreciate also why we think it's very significant as to what your position is on the system. In other words, if you believe that all the reforms to the system that have been made are excellent reforms and everything else, it would impact on some of the decisions you make. So we are genuinely and honestly, and I think appropriately, curious as to your position on things. Again, I think you're being sort of advised as to why you can't say it in terms of doing that. But I think it is very significant to us. So let me try one more question if I have a little more time.

The Chair: That's all you'll have time for.

Mr Gravelle: OK. Would you say, on a personal basis, that you do support, at least in a general sense, the reforms the government has put through in terms of changing the social assistance system in this province?

Ms Buckley-Routh: I do, but, like I said, I'm not the one who made the laws; I have to work within them in my role as a member of the Social Benefits Tribunal.

The Chair: That completes your questioning, Mr Gravelle. We now move to Mr Martin.

Mr Martin: Good morning. Do you have any legal training?

Ms Buckley-Routh: No, I don't. You can tell, can't you?

Mr Martin: It isn't a requirement for this job. Do you have any experience in arbitrating at all?

Ms Buckley-Routh: I've been a member of the Legion, and being a member and an officer of the Legion, of course we've had to arbitrate at meetings and discussions on disagreements. As a teacher, I've had to make students come to an agreement about some disagreement or cases of bullying or whatever it is. I've had opportunities to act as an impartial person trying to help people come to an agreement about something.

Now, this position is a little different, but I feel I could do a very good job, because I think I can empathize with people. Even though I may be stuck in certain parameters of the law, I can still be objective and impartial and give them a fair hearing.

I have a professional attitude, first of all. I like to be ready. I would read up on whatever, and once I've heard their case and heard from the office that turned them down, I would look at it very objectively and try to find a way to possibly be in favour of the client, because I don't like to see anybody in dire need.

Mr Martin: Are you familiar with the legal provisions outlined in the Ontario Works Act?

Ms Buckley-Routh: Yes, I am.

Mr Martin: What would or would not constitute a fair application of those provisions?

Ms Buckley-Routh: In the Ontario Works Act, you provide temporary income support for people who are looking for a job. It is meant as a stop-gap measure. Also, as a person who has been poor, I think you have to think about people's pride. Welfare demeans people in a way, because a lot of times you lose your pride. You lose some of your pride in yourself as an active member of the community, and I believe that Ontario Works encourages placements, which makes people feel good about themselves.

Talking from experience, I can tell you that when I was 15, I was on my own. I could have gone on welfare, but I chose to support myself, so I had a job. I worked about 20 or 25 hours a week and supported myself and felt good about myself. If I had been on welfare, I don't know if I would have gone to college and I don't know if I would be the person I am today.

1100

I think the government's view of encouraging people to really get out there and try it—because sometimes it's just being afraid, just like I'm afraid of being here today. But it's just that people who are on welfare would be good if they were encouraged. This reform encourages people on welfare to want to get out there. Maybe they

have to at first, and then after a while, they get experience, they get skills through placements and they can possibly have a wonderful job and feel good about themselves. I read somewhere that about 54% of people interviewed after they were off welfare said they were better off off welfare because they felt better about themselves, even though they may or may not have as much money as they had before. This is my view on Ontario Works.

Mr Martin: But it's been my experience, and certainly anything I read indicates, that most people who find themselves needing to go on assistance are only there for a short period of time, because nobody wants to be on that system. Most people who end up in need of support are anxious to get to a point where they are independently looking after themselves. However, there are some people out there who will never be able to support themselves, and yet the levels of income and the rules are such now that accessing those levels is becoming more and more difficult. Is that a problem for you?

Ms Buckley-Routh: As I said, I really feel for people on welfare. I know my position on the tribunal is not a very easy position. I'm sure I am going to be stressed, and a lot of times my heart will be feeling for these people on welfare when I feel they need more support or they need more help. I like to think there would be some other people who could help them also, like the case-worker helping them find other venues to get themselves in a position where they possibly could support themselves. Now of course there are some who are sick, and I have no problem with those people receiving social assistance. But I think that able-bodied people should be able to support themselves. If it's temporary, that's fine. If you have hard luck for a little while, it's OK to help them. But they shouldn't look at it as, "OK, now that I'm on social assistance, I don't have to look for a job for the rest of my life. I'm all set." That's how I feel.

Mr Martin: So it would be your view that that's the attitude of most people on assistance?

Ms Buckley-Routh: Not most, just some people.

Mr Martin: What about people on Ontarians with Disabilities Act support, that program? Are you familiar with the legal provisions surrounding that?

Ms Buckley-Routh: Yes. I'm aware that provides income and employment support.

Mr Martin: What in your view would constitute a fair application of those provisions?

Ms Buckley-Routh: What do you mean by what constitutes a fair—I can't answer that right this second. I'm aware of the law; I just don't know yet exactly how I can work within the law. When I do get my training—I was talking to the chairperson of the Social Benefits Tribunal and she said, "There's a four-weeks training where it tells you exactly where the leeway is and exactly what to expect."

Mr Martin: Let me help you, then. In answering my question on Ontario Works you had talked about making sure people understood that this was just a temporary situation and you wanted to make sure that nobody

became addicted to welfare and that it was a program that was simply there to help people over a difficult time. I sense that there was some question in your mind as to whether in fact they really even needed that because welfare tended to make people feel less about themselves. What about the Ontarians with Disabilities Act support? What would your view be of those folks?

Ms Buckley-Routh: I feel totally different. People who are disabled I think are entitled to whatever the government can give them to help them, whether it be income and employment supports, whether it be anything to effectively serve them, if they need assistance. It could be finding them a job. But I recognize that government and communities and individuals share in the responsibility to help them. As a member of the Eastern Star—we've raised money and given to homeless shelters. I won't name all the different charities we've given it to because we've got quite a list. I would think that disabled people have a hard enough time and I would be more open to their need for social assistance.

The Vice-Chair (Mr Michael Gravelle): Members of the government, any questions?

Mr Wood: We'll waive.

The Vice-Chair: Thank you very much, Ms Buckley-Routh. We appreciate your being here. You may step down now. We'll be voting on your appointment later.

PETER ROBERTSON

Review of intended appointment, selected by official opposition party: Peter Robertson, intended appointee as member, Workplace Safety and Insurance Appeals Tribunal.

The Vice-Chair: We'll move on to our next appointment. I call forward Mr Peter Robertson, intended appointee as member of the Workplace Safety and Insurance Appeals Tribunal. Good morning, Mr Robertson. You certainly will have an opportunity, if you wish, to make some opening remarks. We'll then begin the questioning by the three parties, and I believe we'd begin with the third party. If you want to proceed, please feel free to go ahead.

Mr Peter Robertson: Thank you. Good morning to committee members. I am pleased to present myself as a candidate for the appointment to the Workplace Safety and Insurance Appeals Tribunal. After brief opening comments, I'd be pleased to answer questions to the best of my ability.

I've had a varied and challenging career that included, first of all, teaching at the secondary school level in Etobicoke, then acting as a family life education consultant for the Toronto Board of Education, where we innovated, in the 1960s and 1970s, the family life and sex education program. At that time I did some writing of several teaching materials and spoke extensively at conferences and teachers' workshops.

1110

Recently I have been in politics at all levels in municipal politics, first starting as a local alderman and on the

planning board, then progressing to the regional council. For the last three terms of my time in the city of Brampton I was elected as the mayor in a very fast-growing community. It was always a prominent town, but more recently it's the 13th-largest city in Canada, with a population of over 300,000.

During that interesting and highly responsible career I developed judgment and discretion and an appreciation for people in all walks of life. Brampton in particular is as multicultural as any community in Canada. I believe I left an impression of a fair-minded and caring leader and an educator with an abundance of patience.

In each segment of my life I've served people and therefore I would like to continue to serve people in Ontario. If I'm given that opportunity, I'll do it in this particular realm.

I think that's all I need to say. I'd welcome your comments.

The Vice-Chair: We will begin the questioning with the third party.

Mr Martin: I'm just wondering: do you have a particular political affiliation?

Mr Robertson: Traditionally I've been Conservative, fiscally conservative particularly in terms of the policies that attempt to be frugal with taxpayers' money. For five years the city of Brampton, for example, under my leadership, brought in a 0% increase, which wasn't easy because of the cutbacks that were occurring at the municipal level.

I recently attended some fundraising events and have traditionally attended fundraising events for all parties, most recently the Liberal Party. When I was mayor I attempted to work with the government in power. I had some dealings with Mr Rae and Mr Peterson and most recently the Conservative government, so I think I'm balanced in that sense.

Mr Martin: Are you a member of a political party?

Mr Robertson: I am from time to time. I don't think my card is up to date with the Conservative Party, but if somebody makes an appeal to me I might consider that. As I say, I've attended and given money to parties other than Conservative when the merit of the individual or a friendship had developed.

Mr Martin: Do you have a relationship at all with any of the sitting members—your own member or cabinet ministers in this government?

Mr Robertson: A relationship in knowledge, yes, but no further than that. I attempted aggressively to lobby the government at the time to get involved in different aspects of the growth of the city, so most recently the Conservatives, which is the party in power. I chased after Tony and Joe and Raminder for the benefit of the constituents of Brampton. A long time ago in Brampton Bob Callahan was the member and I think I'm on as personal terms with him as any individual.

Mr Martin: Are you aware of some of the problems that vice-chair appointees to the tribunal have had doing their job?

Mr Robertson: I am not. I'd like to be considered for the vice-chair position but I think today's interview is

just as a member. I don't know the rationale for that but if it is vice-chair, that would be great.

Mr Martin: Full-time members are often referred to as vice-chairs. Am I correct in that?

Interjection.

Mr Martin: Anyway, that's OK; it's neither here nor there. The reason I ask you that is that I have some real concern, because the government appointed a fellow by the name of John Koutoulakis as a part-time vice-chair, which I think would be similar to the job you're taking on, of this appeals tribunal. He was appointed by the Minister of Labour of the time, Chris Stockwell. He heard 23 cases, delivered a verdict on five and left 18 others unresolved. Of the five, the verdicts were delivered between 50 and 128 days late, when in fact they're supposed to be delivered within 120 days, which to me seems to be a significant amount of time. For the 18 others who put appeals to him the wait was even longer. After he quit to join Stockwell at the Ministry of Energy and Environment, these workers were left waiting, most for over a year. Some workers were even forced on to social assistance while this gentleman travelled with Mr Stockwell in Paris. While vice-chair, Mr Koutoulakis also attended the PC leadership convention as a Stockwell supporter, a violation of the Public Service Act, which demands political neutrality on the part of adjudicators at the tribunal.

I would hope that we won't turn around tomorrow, if your appointment is approved here today, and find out that this is the kind of behaviour you would be involved in.

Mr Robertson: My reputation over 30 years, as a professional at the University of Toronto and as a politician and then mayor—I value very much the integrity of being in a publicly elected position and I follow the rules. The example you gave of not being conscientious: I'm a stickler for getting the job done. When we were in the city of Brampton, it bothered me when somebody leaned on the shovel and didn't put in an honest day's work, so I don't think you'll find those problems with me, Tony.

Mr Martin: OK. Are you familiar with the legal provisions outlined in the WSIB Act?

Mr Robertson: Briefly, I simply had an interview with Ian Strachan and I received eight pages of summation of what is involved. I understand that a training process would follow. I believe that the staff do a lot of the work-up of the different cases, and when it comes to the tribunal, it's a matter of good common sense and caring and reading those particular reports. So I don't know in detail the legalities of it except what I've picked up along the way as an interested municipal politician.

Mr Martin: Having looked at the limited material that you've been given and considering this appointment, do you have any thoughts in your mind of what would or would not constitute a fair application of the legal provisions of that act?

Mr Robertson: I think I would read each case judiciously. I've never had trouble making decisions before. Sometimes the decisions are hard ones, but you weigh

what is fair from a personal point of view, from the person in front of you, and then do what you think is right for them.

Mr Martin: A few minutes ago you indicated to me that you like to see things get done—you're not somebody who leans on a shovel, was your comment—and you understand that people who come before you are going to be waiting for you to make a decision so they can get on with the decisions they need to make. Given that this is a part-time or half-time position, are there any commitments in your life that would hinder your ability to deliver a verdict on time and quickly?

Mr Robertson: Absolutely not. I'm doing some consulting work in the automotive sector, in the real estate sector, I have grandchildren, I have a cottage in the Ottawa Valley that I love and I have a mother who is still alive at 92 and would like to spend some time with her. But when I say I'm available Monday, Tuesday and Wednesday or Friday or map out the schedule of time I have, it's dedicated to the government of Ontario.

1120

Mr Martin: What are your impressions of people who can't work because of injury?

Mr Robertson: They need some financial assistance; and likely more than that, they need some kind of counselling for lifetime adjustment, feeling good about themselves.

Mr Martin: OK. Do you think there's a lot of fraud in the system?

Mr Robertson: I imagine there is some fraud but generally I think there's not a lot of fraud. People often say things like that when they're frustrated with the system, but when you dig deep into it, it's usually just a human problem and not fraudulent.

Mr Martin: You're aware that this is a position that requires political neutrality?

Mr Robertson: Yes.

Mr Martin: Would it be your plan to not be involved in any way, shape or form in political activity while you had this job?

Mr Robertson: If those were the requirements, of course, and they are, so I will not be politically active. I've retired from politics. I made a decision not to run again for the city of Brampton council and provincially. So I'm not political in that sense, but I'm passionately involved in the community and the decisions that are made and I express my opinion. People know that, and likely I won't change different points of view. I don't always speak the party line, whatever that is, and that gets me into trouble sometimes. It's my independent upbringing. My mother always taught me to speak up and make a difference.

Mr Martin: Thank you very much.

The Chair: We now move to the government caucus.

Mr Wood: We'll waive the balance of our time.

The Chair: We move to the official opposition.

Mrs Dombrowsky: Good morning, Mr Robertson. I was going to ask you about the fact that it indicates that in the year 2000 you ceased to be the mayor of

Brampton. I'm just curious, however: you were on regional council until 1991 and then you were elected to three terms following that?

Mr Robertson: Yes.

Mrs Dombrowsky: You chose not to run in the year—

Mr Robertson: No, I got beaten by I guess a better person who put themselves forward to the public.

Mrs Dombrowsky: So you were defeated then in the year 2000 in that role?

Mr Robertson: Yes.

Mrs Dombrowsky: When you told my colleague Mr Martin that you were not interested in running, that would be for the upcoming municipal elections?

Mr Robertson: Yes. I made that decision to get on with my life.

Mrs Dombrowsky: You indicated you had no interest in running municipally or provincially.

Mr Robertson: Right.

Mrs Dombrowsky: Have you been a candidate before?

Mr Robertson: A candidate for?

Mrs Dombrowsky: We know municipally, obviously, but were you a candidate provincially or federally?

Mr Robertson: No, I never was.

Mrs Dombrowsky: I always ask the question, or at least I look for an answer to a question I always have with intended appointees: how is it that you have come to be here today as an intended appointee on the WSIAT?

Mr Robertson: I think I'm too active, at least my mind and body are too active, to retire. I'd like to find a challenging day-to-day existence. I've been doing that a little bit in the free enterprise world and I'd like to serve the community.

Mrs Dombrowsky: But how did you get here today? How is it that you're here? I appreciate that you have an interest in serving your community and so on, but can you explain how it is that you were aware—

Mr Robertson: I can tell you exactly: I met Carl DeFaria a month and a half ago, or longer, and he said, "What are you doing?" I told him what I'm doing, and he said, "You have some skills; your wife has some skills. You should put your name forward for some government appointment." My wife was a citizenship court judge at one time. So I did. I put a resumé in. I sent it to Carl, as opposed to my local Brampton member. I was kind of flattered that somebody outside my riding cared about me and, I guess, judged that I'd do a good job. So that's what happened. In time, I had an interview with Ian Strachan, and I thought I hit it off well with him, in that he described the professional nature of how they've brought the number of cases down or are doing that in a manageable way, and I said I'd like to spend some time with him.

Mrs Dombrowsky: Can you explain how Mr DeFaria would have known you? When you say you met him, was it at a social function, was it in some official capacity?

Mr Robertson: I have known him for 20 years or more. He was a lawyer who had Portuguese clients in the

Brampton area—Brampton has a large group of Portuguese Canadians.

Mrs Dombrowsky: Did you say your wife was a judge?

Mr Robertson: A citizenship court judge. So with that connection, with her visiting different ethnic groups on a regular basis, both of us, JoAnne and I, started a multicultural festival in Brampton 20 years ago, and the Portuguese community was one of the first groups—there were only four pavilions 20 years ago. We worked it up to about 20—21 in its heyday—and it still exists today after 21 years of going. So I knew Carl from that Portuguese connection.

Mrs Dombrowsky: Was he specific with regard to this particular tribunal, or did he just think you should apply for some kind of order-in-council appointment?

Mr Robertson: I think in my initial letter—I believe in the smart growth philosophy, and I put my name forward in that sense, in terms of saying perhaps that in my experience with trying to encourage the government of the day to look at smart growth initiatives, I sensed the public believed that growth was moving too fast in my community and something needed to be done. I thought that might be a place. Being a university professor, I mentioned that if there was an appointment in the educational field, that might be of interest.

Mrs Dombrowsky: You really have answered my question: basically you were approached by a member of the government to put your name—

Mr Robertson: Just to put in an application, and I did.

The Chair: Mr Gravelle.

Mr Gravelle: Good morning, Mr Robertson.

Mr Robertson: Good morning, sir.

Mr Gravelle: You did indicate, when you were speaking or being asked questions by Mr Martin, that you would hope to be a full-time vice-chair.

Mr Robertson: Not full-time. When I was reading the information that was given to me, it said—and I think I can pull up the page—that sometimes a vice-chair is given a case to adjudicate individually and sometimes it goes to a tribunal. My conclusion from reading that simple line was that maybe I would be busier, maybe I would be called more frequently to adjudicate as an individual person.

Mr Gravelle: I see.

Mr Robertson: I'm assuming, rightly or wrongly, that being on the panel I might not be requested to come forward as many times.

1130

Mr Gravelle: I understand. I wasn't entirely clear and I appreciate that clarification. But if you had been offered a position as a full-time chair, would you have accepted that?

Mr Robertson: I might very well.

Mr Gravelle: There is that issue of people who are qualified. These jobs are of some real complexity and require some background that would be helpful. You may have been asked this already, and I apologize for leaving

the room for a short period of time, but do you feel you are indeed qualified to manage this responsibility?

Mr Robertson: Yes, sir. After being defeated and terminating my political career, I went back to school and got an advanced certificate in mediation. I think the mediation skills I was practising on a day-to-day basis when people came into my office, whether they were staff conflicts with the public or public conflicts with how government was going, could apply in a general sense to the task here. I believe I'm well qualified.

Mr Gravelle: I do want to ask you one more question. Mr Chair, I just want to know if you can give me a one-minute warning.

The Chair: You have one minute.

Mr Gravelle: I'm at the one-minute warning already?

I certainly wanted to ask you more questions about WSIB, because I think it's one of the most difficult agencies to deal with. Certainly as a provincial member, I think all of us here, of all three parties, would agree that it's often difficult for us as members to help our constituents because of the complexity that's involved in WSIB, previously workers' compensation, cases. So I hope you can help move this process forward more quickly.

But I wanted to ask you a question as a former municipal politician and mayor of Brampton. What do you think of the government's decision to require municipalities to hold referendums in order to have any tax increases in their municipalities? I know there's certainly been a lot of strong feeling about this from all municipalities and—

Mr Frank Mazzilli (London-Fanshawe): On a point of order, Mr Chair: I just want to correct "the government." It's a political party that's put this forward; it really has nothing to do with a government intention or bill. It's part of a platform. We can discuss the Liberal platform. We can open a big discussion here on platforms.

Mr Gravelle: I appreciate the clarification. I just thought Mr Robertson would have an opinion on that, having been a municipal politician who obviously, as he made clear, worked hard to maintain no increases for his citizens. I'm sure he has an opinion about this political party position.

Mr Robertson: There were two parts. You warmed up with a question about my opinion about workplace injuries. I can tell you that Mr Zorato, a constituent of mine who was injured, and his wife were having a great deal of trouble getting through workmen's compensation at the time, and I spent some time in my office attempting to help Mr Zorato get a fair hearing.

Your last question I don't shy away from. I know the present—

The Chair: You never have, Peter, on anything.

Mr Robertson: Do you remember?

Mr Gravelle: I had a hunch you wouldn't shy away from it.

Mr Robertson: The present council has petitioned the government not to do that. I suspect it's because they've

cranked up a whole lot of tax increases since I left. I think it's not a bad idea. The Americans, even in their school system, have to go to the public to raise money. It's a way of saying to the people, "We can't manage with the finances we have, and we need to come to you because we need to raise your taxes."

The bigger picture, if you want to know it, is that there's no government in the world, other than the Ontario municipal structure, that doesn't get regular funding from both other levels of government. When I went to see a mayor in Germany or my daughter went to school in Chicago, I always asked the question, "Where does your pie come from?" One third of municipal funding comes from the taxpayers, one third comes from the province and one third comes from the upper level of government in most countries in the world. It's a shame that the structure in Ontario, whether it's Liberal, Conservative or NDP, hasn't shared the pie. I don't know how the hell we can build roads or provide public transit or public housing and serve the needs of the average person in our community until we get a cost-sharing formula.

Mr Gravelle: I would love to carry on this conversation. I suspect I can't.

The Chair: You have no more questions. Your time is cut off. The only reason you got extra time was because Mr Mazzilli had an intervention, so that prolonged it a bit. It's always good to hear from Mr Mazzilli. I always find it good to hear from him.

Thank you very much, Mr Robertson, for being with us. You may step down.

Mr Robertson: Just before I go, have a good summer.

The Chair: Thank you kindly.

RALPH HUNTER

Review of intended appointment, selected by official opposition party: Ralph Hunter, intended appointee as member, Regional Municipality of Peel Police Services Board.

The Chair: Our next intended appointee is Ralph Hunter, intended appointee as member, Regional Municipality of Peel Police Services Board.

Welcome to the committee, sir. You may come forward. As you know, you have an opportunity to make an initial statement if you see fit, and then there will be questions from members of the committee.

Mr Ralph Hunter: Thank you, Mr Chair and members of the committee. I just have a short introduction. I think you've all been supplied with my resumé, and this is somewhat a repeat of that.

I am honoured to have been nominated to the Regional Municipality of Peel Police Services Board. I have lived in the region of Peel for my entire life. I lived in Brampton, and for the past 43 years have lived in Streetsville, which is now part of Mississauga.

My business background has been in general insurance. I owned and operated a general insurance brokerage in Mississauga for 40 years. After selling it in 1998, I

joined my partner in a company we had formed in 1994, providing financial services and estate planning.

My community service has included membership in the Streetsville Rotary Club for the past 34 years. I'm a past president and a Paul Harris Fellow. I'm a past member of the Streetsville planning board, a past chairman of the Streetsville parks and recreation committee, past president of the Mississauga Insurance Brokers Association, a current vice-chairman of the Mississauga Living Arts board of directors and a past chairman of the business affairs committee. I am a recipient of the Queen's Jubilee Award.

During a conversation with the mayor of Mississauga—I'm sure all of you folks know that's Hazel McCallion—she suggested I consider submitting my name to the Ontario government's public appointments committee, indicating my interest in the police services board. I had worked with her on different boards and committees, and she felt I had some experience that would be of some benefit to the board. I submitted my name in 2001 and again in 2003. I have an interest in the safety and welfare of our community and a passion for our community. The police service is one of the pillars that provide that.

I believe my business experience, coupled with my community service background, equips me to make a positive contribution to the Peel police services board.

The Chair: Thank you very much, sir. We begin our questioning with the government caucus.

Mr Wood: We'll waive the balance of our time.

The Chair: The government has waived its time. We now move to the official opposition, and Mr Gravelle will begin.

Mr Gravelle: Good morning, Mr Hunter. You made reference to speaking with Mayor McCallion about this. Did you speak to anybody on the government side, any provincial members or ministers, related to this potential appointment?

Mr Hunter: I have spoken since then with Mr Rob Sampson and Minister Tony Clement.

Mr Gravelle: They were obviously encouraging you to go forward as well, then.

Mr Hunter: Yes.

Mr Gravelle: May I ask if you are a member of any political party?

Mr Hunter: I'm a member of the Mississauga West federal Liberal association and a member of the Mississauga West PC association.

Mr Gravelle: Do you have any plans to get very involved in the upcoming election campaign provincially?

Mr Hunter: No, I do not.

Mr Gravelle: Not at all?

Obviously, the Peel regional police force is a huge police force. It's the second-largest municipal force in the province and therefore there are some major responsibilities. I am curious about your thoughts on a number of issues. What do you think are the key issues in Peel region? It's obviously a vast area, and also takes in

Caledon I understand, which is administered by the OPP. But can you, in summary form, give me a sense of what you feel are the key issues that need to be dealt with?

1140

Mr Hunter: I think there are a number of them, but again, I'm not briefed on the issues inside the police department. Unfortunately, I've been on vacation. I came back yesterday and I received some of the questions you folks might ask, so I've been trying to pull it together but, unfortunately, I haven't done a very good job of that.

But at any rate, my observations through the media and so on are that the expansive growth that we've had, of course, has meant making sure we're hiring the right people, putting all the right policies and programs together. Peel Regional Police has a great community education program, which I think is a good way to prevent crime. I know they currently have a problem with marijuana grow houses. They're having some difficulty knowing just how to police that. It's somewhat legal to have marijuana but there's no distribution channel, so the police departments I think in general are having a problem with that. Pornography, Internet crime and the airport serve well for bringing criminals in from around the world, so they have a vigilant eye on that.

Mr Gravelle: I appreciate that in the short time you've had to prepare for this, you've done some work on it. One of the issues that is certainly very controversial and of great sensitivity and, I think, of great concern is the issue of racial profiling. Can you tell me, just based on your understanding or even your history in the community and in the region, what is your sense of the issue of racial profiling? I know that Lincoln Alexander, our former Lieutenant Governor, was involved in that process and there has been some real expression. Do you think racial profiling exists, I guess, is the pretty straightforward question to ask you?

Mr Hunter: No, I do not.

Mr Gravelle: You don't?

Mr Hunter: Not in the region of Peel. I've never seen or heard of any of it through the media. I did pose that question to the chairman some while ago and there is a policy in place with the region of Peel against that and it's fairly strictly adhered to. I think it is adhered to.

Mr Gravelle: So you think it may exist somewhere else in the GTA? This is very tricky stuff, but obviously racial profiling is something that needs to be addressed. It's out there and many of us are very concerned that indeed it is. So I'm interested to hear you say that within Peel, which is a huge area, you think it absolutely doesn't exist.

Mr Hunter: I don't think so. Again, obviously there might be the isolated case, but I've certainly never seen it, I've never read about it, it's never been in any of the media. I've always been well involved in the community, so I'm sure I would have heard it if I thought there was a problem. In Toronto, of course, I've read all the media reports on that and Lincoln Alexander's committee reports, and I have no opinion on whether there is or there isn't.

Mr Gravelle: But do you consider it an issue that would need some exploration? If indeed you are, after today's interview, appointed, is it something that you would consider an important issue that you might want to explore more deeply because, in essence, you've acknowledged that from where you stand you don't see it being an issue or concern—in fact, not existing—and I guess I would argue that indeed it might be something you might want to look into more deeply. But I'm curious—

Mr Hunter: No, I would oppose it.

Mr Gravelle: You would oppose—

Mr Hunter: Racial profiling.

Mr Gravelle: I meant would you make some effort to actually delve into the situation in terms of the Peel regional force itself; in other words, to look at it more deeply to make sure that indeed, as is your feeling, it doesn't exist—that's a fairly strong sense determined. Would you spend some time, perhaps as part of your responsibilities, exploring that?

Mr Hunter: I think I would if it were to surface. I'm not sure. In fact, I don't think I would go looking for it. If it came up through any form of complaints, then absolutely, because I think my own view, as well as that of the department, is that we're opposed to it.

Mr Gravelle: OK. Ms Dombrowsky?

Mrs Dombrowsky: Good morning, Mr Hunter.

Mr Hunter: Good morning.

Mrs Dombrowsky: Are you familiar with the new Youth Criminal Justice Act?

Mr Hunter: No, I am not.

Mrs Dombrowsky: I thought you might have received some of that information, if it is in the background.

Mr Hunter: Yes, if that's the entire act; I doubt it is, but yes, I did receive—

Mrs Dombrowsky: Then perhaps I could ask, are you familiar with the intent of—

Mr Hunter: Yes.

Mrs Dombrowsky: —the new Youth Criminal Justice Act, and are you aware of the reticence of this government to advance that?

Mr Hunter: Not in detail; I'm not that well versed on either the act or the—

Mrs Dombrowsky: Were you aware that the Attorney General did present the federal government with the "No more free ride for younger offenders"?

Mr Hunter: Yes.

Mrs Dombrowsky: I guess I would like to understand from you, in terms of your philosophy: do you believe that there is some benefit in considering alternative measures and processes when dealing with young offenders?

Mr Hunter: I feel awkward answering the question, knowing that I really haven't given it any thought or study. I think that whole youth crime area needs study. What they have attempted to do, by the appearance, is to separate the violent crime and non-violent crime, and I think that's a good thing. I sense that they're trying to remove some of these things, these crimes and charges,

from the courts and trying to settle some of them through mediation and other ways. I'm not sure how that's being done, only from the summary that I've received—and I support that.

Mrs Dombrowsky: Do you have an opinion around the fact that in Canada we send more youth to custody facilities than any other western jurisdiction?

Mr Hunter: I wasn't aware until I read it.

Mrs Dombrowsky: Did it leave you with an impression?

Mr Hunter: Yes: that's appalling.

Mrs Dombrowsky: It's appalling; so?

Mr Hunter: But whether that's from enforcement or lack of education, I don't know. Those are the things I would want to look at before really forming an opinion. There are a lot of things that I think contribute to that. Maybe we're being more aggressive in our enforcement than other countries; I don't know the answer to that. Maybe our justice system is not as sympathetic. I really just don't know.

Mrs Dombrowsky: Do you have an opinion on that more firm or severe trend in terms of dealing with young offenders?

Mr Hunter: No, I'm not in favour of that. I am of the violent and more serious crimes, yes.

Mrs Dombrowsky: So you think that would be an appropriate consideration. But for the less violent crimes, are you suggesting, then, that it might be appropriate to consider if there are other alternatives within the community?

Mr Hunter: Yes.

Mrs Dombrowsky: Are you familiar with the work of the John Howard Society?

Mr Hunter: Yes, I am.

Mrs Dombrowsky: I'd better be careful how I put this. I think that you would find some of their work very interesting, particularly in your role as a member of the police services board. I have had the opportunity to meet with representatives, and I think they do present a very interesting perspective in terms of some very positive considerations to be made in terms of how best to manage young offenders. Do you have an opinion on the fact that there does appear to be a reticence on the part of this provincial government to work with the federal government to implement and to enact some of these—I mean, the federal government has now given the provinces the ability to be somewhat flexible in managing young offenders in their sentencing. Do you have an opinion about the fact that this province has resisted that initiative?

Mr Hunter: I don't have an opinion. I'd like to understand the background to that before I form an opinion. The police services, of course, will adhere to whatever law is in place, and then it really is a justice system as to how they're dealt with after the police—so, no, I have not formed an opinion.

Mrs Dombrowsky: I'm just curious—

The Chair: Mrs Dombrowsky, your curiosity will not be satisfied because you are out of time. We will now move to Mr Martin.

1150

Mr Martin: I'm just wondering, I guess, besides the fact that I think you said Mayor McCallion suggested that you might want to be on this board, why it is—and you're obviously a very busy and involved person in your community—you would want to serve in this capacity at this particular point in time.

Mr Hunter: First of all, I think it's interesting, and secondly, I know two members who are now both off the board. I've talked to them about the work at the board, and they have found it interesting work. I just have an interest in it and an interest in our community. As I say, it's growing. I have grandchildren and children all living in Mississauga, and my mother and brother and sister all live in Brampton. We all have families.

Mr Martin: Are there any interests in particular that jump to your mind in terms of things you'd like to deal with or have resolved or move forward?

Mr Hunter: No, I have no agenda. I am sure that once I understand the workings of the board, I will form ideas that I would like to exercise. But at this juncture, no, I have not.

Mr Martin: You're probably aware that it is the second-largest police service in the province.

Mr Hunter: Yes.

Mr Martin: Your jurisdiction also takes in an area I believe that's covered by the OPP.

Mr Hunter: Yes, the north end.

Mr Martin: Is there any interest in you to explore perhaps the whole thing being one or the other?

Mr Hunter: At this juncture, no. Again, that may come to the table and we'll have to study it, but without study I would have no opinion on that.

Mr Martin: What particular gifts or talents or experience do you bring to this job that would suit you to the challenge?

Mr Hunter: I think my business background will bring fiscal responsibility to it, and I think my community service will bring some social conscience to it. If I can offer and abbreviate everything, it would be just good common sense thinking.

Mr Martin: Do you have any relationship at all at this point with the police chief or the police service itself that would be of any—

Mr Hunter: No, I do not.

Mr Martin: We had a visit by a number of the police associations before Christmas of this past year, and they indicated that they had some very real concerns around their ability to do their job, their safety in the job and the safety of communities. As you know, we see on a daily basis now incidents and things happening out there that would indicate that perhaps our communities are becoming a little less safe. They're suggesting that there's more money needed to be put in, that they need more police officers on the street. What would your feeling be about that?

Mr Hunter: If that's what it required, then I would support that. I think, though, that there's a number of ways and a number of things that the volunteer people in our community can do to contribute. I was just reading one in the newspaper this morning, out in Ajax where a ratepayers' association got a big radar thing and it had sort of a screen. You may have all seen it. As a car came down, it registered the speed of the driver. They can't lay any charges or anything, but it was their way of saying, "We know you're speeding." They recorded the licence plate, and the police department just accepts that. The second time that they're reported the police call them, and the third time they go with a ticket. Again, it's a volunteer group that is making some contribution to the safety of their community, around schools and so on. With demographics being what they are, there's just a number of people who are available who might be able to make some contribution in that fashion.

Mr Martin: In the last couple of years, there seem to have been major challenges presenting that perhaps were there before but they seem to have come to the forefront, some of them raised by the police associations, some of them raised by the chiefs of police, some of them just because of what's happened. I reference the proliferation of gangs out there and the renewed focus on the issue of terrorism after 9/11. Have you given any thought to how we prioritize our resources and deal with all of that at the same time as doing some of the things you just mentioned, like making sure people aren't speeding and that kind of thing?

Mr Hunter: Yes. Again, it's hard for me to form an opinion without having sat through a first meeting and listening to all of the concerns and trying to put any kind of a priority. All of what you've suggested should be priorities, but which one comes first? I just wouldn't know how to do that without sitting and looking at all the information.

Particularly in Mississauga, where the airport is, I think absolutely that terrorism is a prime concern, although I suppose you have to work with intelligence that you receive at the time and deal with the priorities; they may shift from day to day.

Mr Martin: Of course your jurisdiction will take in, I believe, the airport.

Mr Hunter: Yes, it does.

Mr Martin: So that would be a particularly sensitive area, I suggest.

Mr Hunter: Yes, it is. I think there's a lot of co-operation between the RCMP, the Ontario Provincial Police and the Peel Regional Police in terms of the airport, but nonetheless it is in our jurisdiction.

Mr Martin: Any comments at all about the politics that often sort of rears its head in the area of policing? You get the police association, you get individual members of the board who sometimes come forward as having a particular agenda or whatever, and then of course there's municipal councils themselves. How would you deal with some of that?

Mr Hunter: I think, again, to apply reason. We've experienced some of that at the Living Arts Centre in Mississauga, which is a city-owned facility. It's just a case of doing your homework, having the information, presenting it in the best light, and if they can pull it apart, they can pull it apart. But the bottom line is that if you've done your homework and your agenda is proper, then they'll accept it. I've been on that board six years now and we've had a fair amount of success with that.

Mr Martin: What in your view would be the most important piece of that whole sort of policing challenge that we confront?

Mr Hunter: I think there are two. Number one is the fiscal responsibility. I think that trying to keep the lid on costs is always a challenge. I think that communication and education are vital. Let the community know what is going on and if there's a way they can assist, either just by Neighbourhood Watch, taking the education into schools and into service clubs with speakers and so on, and just making everyone aware of what's going on around us, and asking and soliciting their assistance in being careful.

Mr Martin: From a couple of the answers you gave, you certainly seem to support and have an affinity for the issue of community policing, which I think is an approach that involves the whole community in actually working together to make sure that things are safe for everybody concerned. That concept seems to have slipped a bit, given the focus on terrorism and all those kinds of things. What priority would you give it and how would you see us recovering some of that?

Mr Hunter: In Peel region they have started. They've opened, I think it's three—maybe two, but I think it's three now—local community police service offices. There's one in Streetsville, there's one in Port Credit and I believe there's one now in Brampton. They're very open for the public to come in and inquire about a variety of things. There are automobile accident reporting centres as well, and you just go there and report your accident and so on.

I think they're making an attempt at it. At this juncture, I think it's still experimental, but again, until I'm on the board and can sort of get an eye on what I think is going on, then I really can't form an opinion on that either. But I agree with you, I think that we all need to kind of watch out for ourselves: me for you and you for me.

The Chair: And the last question, Mr Martin?

Mr Martin: That's it, actually. That's my last question. Thank you very much.

1200

Mr Hunter: Thank you.

The Chair: You may step down. Thank you very much for being with us today.

Do we have a unanimous consent, Mr Wood?

Mr Wood: I would ask unanimous consent of the committee to extend the times for consideration of the following people by 30 days: Julia Anne Shea, Roger Liddle and Georgina Beattie.

The Chair: Is that agreed by the committee? OK. Thank you very much, Mr Wood.

We are now going to proceed, with the permission of the committee, to consideration of the appointments this morning. Is that all right with the members of the committee, if we proceed with the appointments from this morning? OK.

First is Linda Nowicki.

Mr Wood: I move concurrence.

The Chair: Concurrence has been moved. This is for the intended appointee to the Town of Michipicoten Police Services Board. Got it right that time? Good.

Mr Johnson: Just say "Wawa."

The Chair: Wawa. I always think of it as Wawa; that's why. I've been to Wawa, a very beautiful place.

So that has been moved. Any comment?

Mrs Dombrowsky: I will not be able to support this intended appointee, and I was prepared to. However, I think when Mr Martin was questioning her, it was indicated that she has publicly had disagreements with the chief of police. I really question the wisdom of the government appointing someone who very obviously and publicly is at odds with the chief of police in a very small community. I come from a small community, so I can appreciate that and I believe there would be a poisoned environment there, and I'm sure a worry within the force around what kind of criticism might come from a member who has been so vocal in the past. For that reason, I will not be able to support this intended appointment.

The Chair: Any further comment?

Mr Martin: I don't for a second cast aspersions on Ms Nowicki's sincerity and willingness and certainly her work ethic. She has displayed that in many ways in the community of Wawa and shared that with us here today and was very forthright, frank and honest with her views and her opinions.

My concern, as Mrs Dombrowsky's, is that in this time when policing has become such a very obviously public and sensitive issue, when you consider all of the things that are coming at us today—as I mentioned to the deputant who was before us just previously, we have terrorism, and it affects every community, including Wawa. We have gangs that are moving through the province now setting up shop in various places and all that. We need to have police services boards that can work in harmony with each other, with the community and with the chief of police.

I'm not convinced that in this particular instance Ms Nowicki is going to be able to operate in that way such that some constructive and helpful decisions can be made as that town moves forward with some obviously difficult economic challenges as well as a responsibility to provide adequate and well-resourced and community-rooted policing. So I won't be supporting the appointment either.

The Chair: Any further comment?

Mr Mazzilli: I certainly will be supporting this appointment. I think it's important to have strong people on police services boards, and that's what we have here:

a person who obviously cares about her community. We've heard about some letter to the editor on a local issue. These are people who care about their community and have an opinion. I certainly don't think that is something that is detrimental to a person, to be able to speak their mind, to write letters to the editor on a certain position. What I heard is a person who has an open mind to the different options that face that community at some point in time.

My experience tells me that if you have a weak board, police chiefs certainly run the board, and if you have too strong a board, they run the chief, so it's quite a job for governments of the day to appoint a balanced board that both the chief and the community can work with. I think she'd be a great addition to that board.

Mr Johnson: I, like my colleague Mr Mazzilli, thought she was reasoned, seasoned and balanced. She had a healthy attitude toward it. First of all, she's a woman, and I think that's important to give balance on a police services board. She's been in business, and I thought that her background gave a lot of good, solid indication of a committed decision-maker and influential person in her community.

Also like Mr Mazzilli, I feel that the chief of police is a very, very important person in most municipalities. First of all, if he isn't a very strong character with a very strong personality and a good chief, his men will run roughshod over him. Policemen are not easy people to supervise. By their very natures, if they are good policemen and they're out in the public catching and looking after criminals—and the rest of us when we go too fast or whatever sometimes—they are not easy to supervise. They are not pussycats that you can stroke and so on. If they were that, they wouldn't be any good as policemen. So I think the police chief's job is very, very difficult. On the other hand, I think we need a very strong and influential board in order to give him the backup and the direction that the community deserves in the duties that we ask the police boards to perform. So I think she'll be a good addition to the police service in that area and I'm very pleased to be able to say that I want to support her appointment.

Mr Mazzilli: Just to add one thing to the record, we see many times, whether it's a two-year appointment or a three-year appointment—I believe that often we reappoint people too many times, quite frankly. With these appointments, there's nothing that says you're going to be reappointed. It gives more people in the community an opportunity to serve on a police services board and so on. So I think that reappointments should not be an automatic thing and that we should always consider new people for some of the positions.

The Chair: If there's no further comment, I'll call the vote. All in favour? Opposed? The motion is carried.

The second one we deal with is an attended appointee as member of the Social Benefits Tribunal, Helen Buckley-Routh.

Mr Wood: I move concurrence.

The Chair: Concurrence has been moved by Mr Wood. Any discussion?

Mr Martin: These are really, really important appointments, these tribunals. We're getting to a point now in our appointments to them where there's a concern being raised by the community out there, by those who advocate on behalf of poor people, that we're not appointing people who have proper experience and qualifications to these jobs in order to actually do the position justice and, more importantly, to do justice by some of these folks who, when they come to look for assistance, are usually at the end of their rope. It's the last place for them. When they're turned down, all they have left is appeal. They hopefully then come before somebody of experience and knowledge and background who will understand all of the intricacies of their situation and the law as it exists and will find ways to be helpful. I'm afraid the applicant this morning doesn't, to my satisfaction anyway, have enough background experience and knowledge and expertise to do this job.

1210

The Chair: Any further comment?

Mr Mazzilli: I certainly will be supporting this appointment. I appreciate what Mr Martin said, but many times we bring people before this committee who have all the skills of mediation or adjudication in quasi-judicial bodies. They have all the training for that sometimes, and then you hear the complaint that they have no experience with children, poverty and all of those issues. Today we bring someone before us who quite frankly has a teaching background, probably a very strong skill set in dealing with families and children and is very sympathetic, and perhaps lacking in the other, which will obviously have to be taught before you can get into a quasi-judicial role, and we're hearing the opposite complaint, that the individual doesn't have the skill set to be a mediator, if you will, or an adjudicator.

So I will be supporting this appointment. I think if you want a broad representation of the community, those skill sets will be taught to members before they take on hearing cases on their own.

Mrs Dombrowsky: I have to make some comment with regard to whether or not the intended appointee has a skill set. It is very clear that the intended appointee, as I think the remarks would indicate—she told us she had really no experience as an adjudicator. We are not appointing someone to volunteer on a board. This person is going to be making \$75,000 a year, in that neighbourhood, and the very lives and well-being of individuals in our province are going to be at this person's mercy. So, yes, I am looking for someone who does have applicable skill sets already in place. I would like to think, for someone who is going to make that kind of money, that they do bring a significant amount of that to the table before any training takes place. I'm sorry; I did not see evidence of that today.

Mr Mazzilli: Just to reiterate my position, as I've said before many times, there have been lawyers appointed to certain boards and we don't hear any complaints that they

don't have the skill sets to be adjudicators. They do. In those instances, we hear that they don't have the skill sets with the environment, if that were the board, or whatever. So there's a whole other complaint from the opposition.

All I'm saying today is that if the job of an adjudicator was strictly for a lawyer, you would have the skill sets. The intent of the government is to have broad-based representation from the community on these quasi-judicial bodies, and that means people of different professions. They will not come with the skill sets of being adjudicators. They will be taught those skill sets certainly before they commence working.

The Chair: OK, thank you. I will call the vote. All in favour? Opposed? The motion is carried.

The next intended appointee is Mr Peter Robertson, intended appointee as member, Workplace Safety and Insurance Appeals Tribunal.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Any comment from members of the committee?

If not, we'll have the vote. All in favour? Opposed? The motion is carried.

The next is Mr Ralph Hunter, intended appointee as member, Regional Municipality of Peel Police Services Board.

Mr Wood: I move concurrence.

The Chair: Concurrence has been moved by Mr Wood. Any discussion?

If not, I'll call the vote. All in favour? Opposed? The motion is carried.

That concludes the business for the morning session. We will commence at 1 o'clock for the afternoon session.

Mrs Dombrowsky: Can we leave our material here?

The Chair: Yes, you can leave your material here. It may freeze, but you can leave it here.

The meeting is recessed.

The committee recessed from 1215 to 1310.

JIM DIMOVSKI

Review of intended appointment, selected by official opposition party and third party: Jim Dimovski, intended appointee as vice-chair, Workplace Safety and Insurance Appeals Tribunal.

The Chair: I'm calling the afternoon session of the standing committee on government agencies to order. Our first intended appointee this afternoon is the intended appointee as vice-chair, Workplace Safety and Insurance Appeals Tribunal, Mr Jim Dimovski. Please come forward, sir. Welcome to the committee. You have an opportunity, as you know, to make an initial statement if you see fit.

Mr Jim Dimovski: I'm honoured and pleased to be here today as an intended appointee to the Workplace Safety and Insurance Appeals Tribunal. I recognize the very important work the tribunal does in rendering impartial decisions that appropriately consider workplace safety and insurance legislation, prior tribunal decisions,

evidence, board policy and administrative law requirements.

I was born in Toronto to immigrant parents who arrived in this country without the grasp of either of the two official languages, hardly any worldly possessions save what they brought with them in their two suitcases, without the support of a large extended family or skills that were highly in demand. Despite these harsh realities they faced when they first arrived in this province, their work ethic and dogged determination has helped them earn a good living.

I attended grade school in the Markham suburb or satellite town of Unionville. Interestingly, my language skills were so poor that my teachers were under the impression that I was a recent immigrant from Yugoslavia. Nevertheless, I went on to Unionville High School, where I graduated as an Ontario scholar. From high school I then travelled to Montreal, where I attended McGill University in order to complete a bachelor of arts degree. My major was in history. From studying history at McGill, I moved to the other side of the country, to Edmonton, to study law at the University of Alberta.

In addition to studying law in Edmonton, I also tried to practise it. In my first year, I joined Edmonton Student Legal Services, SLS, an organization mainly staffed by law students who try to help low-income individuals unable to secure legal aid funding for summary conviction offences. At the beginning of my second year, I was made a day-shift supervisor and was responsible not only for my regular caseload but also for the caseloads of six students who worked underneath me.

Also during my second year, I was elected by my fellow students to the student government executive, the Law Students' Association, LSA. Upon completion of my term with the LSA, I was elected to the law faculty council, where I brought student concerns and requests to the faculty.

Upon obtaining my law degree, I travelled to Yellowknife, Northwest Territories, to work at a small, reputable law firm. Images of frontier justice often pop into the minds of those who think of the practice of law in the Northwest Territories, and often it felt that way, especially when I was flown during a harsh winter day north of the Arctic Circle for an appeal hearing. In fact, my legal experience while in Yellowknife was quite sophisticated and rewarding. In a typical week, I could find myself working on a family law file funded by legal aid, working on a mining transaction for a multinational corporation, conducting research for the Legislative Assembly, framing administrative law arguments for the judicial remuneration committee, appearing before a tribunal either on the side of an institutional client or for an individual or conducting a trial against an unrepresented person.

The breadth of my legal experience was definitely matched by the depth of the legal knowledge obtained while in the north. However, the greatest skill I was able to develop was my ability to function in a legal context

with those who were both articulate and well-educated and with those who were neither.

I moved back to Markham in order to pursue other opportunities and to be near my mother during her recovery from a complicated surgical operation. Shortly upon my return, I began satisfying the accreditation requirements that the Law Society of Upper Canada sets for lawyers who transfer from another jurisdiction and wish to practise law in Ontario. I worked at a local law firm, mainly on personal injury insurance files, while successfully completing the law society's requirements.

As well, I've become quite involved in my community and have volunteered my time and skills to my church and various other organizations, including the Markham Federal Liberal Riding Association. I believe my service on this tribunal would allow me to use both my legal skills and training and at the same time allow me to gratefully serve my community.

The Chair: Thank you very much, sir. We will begin our questioning with the official opposition.

Mr Gravelle: Good afternoon, Mr Dimovski. It's nice to see you here. For a young man, you have a very impressive resumé in terms of your family history and your law work. The position you will be taking on if your nomination goes forward today is certainly one that will be very complex. It is as a full-time vice-chair for the tribunal. If I may ask you, how did this appointment come about? We're always curious about that.

Mr Dimovski: At the beginning of the year, I was looking for positions that were challenging. I made my job search strategy as wide as I could, and I looked at the public appointments Web site. On reviewing the appointments Web site, I noticed the Workplace Safety and Insurance Tribunal. While in Yellowknife, I had done some work on compensation files, and I actually have a very close friend who acts as in-house counsel for the Northwest Territories workers' compensation organization. I talked to her, and she seemed to suggest I would be fairly good at it. I also then did some more research, and I talked to an executive assistant at my member's constituency office. I asked if they would have any difficulties with me applying for this position, and they encouraged me to do so. After that, I talked to the chair of the Workplace Safety and Insurance Appeals Tribunal, Ian Strachan. After that meeting, I was fairly convinced that I could do a good job as vice-chair.

Mr Gravelle: The constituency office, would that be Mr Tsubouchi's office?

Mr Dimovski: Yes.

Mr Gravelle: I'm pleased to hear that you, in some sense, went specifically for this position. It wasn't as if you were looking for any position; you found this one appealing. One of the concerns that was expressed at a couple of the appointments this morning—and we express it often—is people having the skill set—I think that's the term we were using this morning—in terms of the various responsibilities that come with these positions.

We had an opportunity to speak briefly in person before the hearings started this afternoon, and you made reference publicly to your experience with or your awareness of compensation issues. I wonder if you could expand on that a bit, because I think that is very important. Obviously you did most of that work when you were up in the Northwest Territories, but I would tend to think that would be relevant in Ontario as well. If you could expand on that, I'd appreciate it.

Mr Dimovski: I'm not sure how to answer that. I tend to see the issue in Ontario and compare it to how I dealt with compensation matters in the Northwest Territories. Up there, there tends to be a lot of judicial review of decisions, simply because some of the adjudicators are not well-versed in basic administrative law concepts, for example, fettering discretion. What that means is that they don't tend to hear the real merits and justice of the case. They don't take the facts of the case in an impartial way and make their own decision based on the facts. I know here the appeals tribunal has gone through a restructuring in the last four years with Bill 99. It seems like the structure encourages coherent, well-reasoned decisions. I think this act and the tribunal are flexible enough that decisions go through a very intricate process of vetting and they tend to come out fairly well-reasoned compared to some of the decisions I had to attack in the Northwest Territories.

1320

Mr Gravelle: That's a very interesting answer too, because one of the frustrations I certainly have as a provincial member with compensation or Workplace Safety and Insurance Board cases is that I do find it to be one of the more complex and difficult organizations in essence to even work with. If a constituent comes forward with a workers' compensation or WSIB case, it's often very, very difficult to actually even get a response from the government when we think there's been some unfairness. There also seem to be unconscionable delays that are built into the system. I don't know whether you've done any research in terms of the process to get to the tribunal. That could be a pretty difficult process. Are you familiar with that and have you got any thoughts on that?

Mr Dimovski: I'm not too familiar with that. My understanding is that the umbrella organization of the workers' safety board and the appeals tribunal, especially vice-chairs, does make an effort to talk in public workshops in which everyone's invited to address specific procedural issues, or just to explain to the public the process involved in a workers' compensation file. I don't know enough to further elaborate on that.

Mr Gravelle: And I don't expect you to respond to my comments about the difficulties we've had. I just know that over the years of dealing with them, I have found it difficult. I don't think we're equipped, in terms of our constituency offices, because of the help that is needed for a lot of the cases that come forward, to actually handle a case, and I do believe that some of the decisions made by the government have actually made it

more difficult for people to access the system. In fact, one of my frustrations, and again I don't think you will have much you can say about it, is that previously when I would explore a case I would write the minister and the minister would get involved. Now the minister is more than likely to say, certainly at the tribunal level, and one would understand it, "I can't get involved in this. It's an independent matter." I find that somewhat frustrating, but obviously at the tribunal level you've got to be making decisions based on all the evidence that's at play.

Clearly you believe you have the skill set to do that. How much experience have you had in your legal work, your legal experience, that makes you feel you would be qualified for this?

Mr Dimovski: My experience with specific workers' compensation files is limited because I only practised up there for two years, and the nature of the practice in the Northwest Territories is that you have to do a lot of different files. But I think I've learned also, and I mentioned it in my statement, to deal with all sorts of people, whether sophisticated or not, educated or not. I think that's a quality that would serve well, especially as a vice-chair, because there are all sorts of people who come to the appeals tribunal in a state of anxiety. I think I've learned over my time to deal with people who are going through a frustrating time in their lives.

Mr Gravelle: I think that is one of the other issues too. You're right: as with any organization that has a tribunal system in place, an appeals tribunal, you are essentially at the end of a process that's already had a long period of time when you've been involved in it, and I think that requires a certain sensitivity as well and a certain kind of flexibility. Do you view this as a role where you will be able to have some flexibility? Is that defined as part of the actual job, having some flexibility in the decisions? What is your understanding of that responsibility?

Mr Dimovski: The act tends to guide you in the types of decisions you make. You only have the authority the act empowers you with. I'm talking in terms of the vice-chair. I tend to approach any future decisions with an open mind and render my decisions on the facts presented. I don't know if that implies flexibility or not, but I think it does.

Mr Gravelle: Thank you very much. Did I hit it?

The Chair: You hit it right on. We now move to the third party.

Mr Martin: Good afternoon. I'm just wondering what your political affiliation might be.

Mr Dimovski: I'm currently a member—

Mr Mazzilli: The Liberals didn't ask that?

Mr Dimovski: No. I'm currently a member of the federal Liberal Party.

Mr Martin: What about provincially?

Mr Dimovski: In the past I was a member of the Ontario Liberal Party.

Mr Martin: You had said that you were in to see Mr Tsubouchi, his office or his executive assistant or some-

thing. Do you have a relationship with Mr Tsubouchi at all?

Mr Dimovski: I have no relationship. I've met him twice in the last month at certain functions in Markham.

Mr Martin: Just to put in context that question and how important it is for us and what we're dealing with here in terms of trying to make good appointments to some of these boards and commissions, particularly a board such as the one that you're seeking appointment to, because it affects the ability of a worker who has been hurt to provide for himself and his family—it becomes very critical and crucial—I shared this morning an example of a fellow by the name of John Koutoulakis who was appointed despite lack of expertise as a part-time vice-chair by Mr Stockwell when he was the Minister of Labour. He heard 23 cases, delivered a verdict on five and left 18 others unresolved when he left. Of the five, the verdict was delivered between 50 and 128 days late. The tribunal is supposed to deliver verdicts within 120 days. For the 18 others who put appeals to Mr Koutoulakis, the wait was even longer. After he quit to join Minister Stockwell at the Ministry of Energy and Environment, these workers were left waiting, most for over a year. Some workers were even forced on to social assistance while Koutoulakis was travelling in Paris with Mr Stockwell.

While vice-chair, Koutoulakis also attended the Progressive Conservative leadership convention as a Stockwell supporter—a violation of the Public Service Act, which demands political neutrality on the part of adjudicators at the tribunal. So we're really concerned here that we don't end up with a circumstance such as this where somebody with a lack of expertise is appointed and then takes the responsibility that is handed to him so lightly as to not even deal with the issues that were before him before he moved on to something else.

Were you aware of these problems at the board?

Mr Dimovski: I'm not familiar with that gentleman you just referred to but I can assure you that I would not take anything before me lightly. I think that's the only comment I have with respect to your remarks.

Mr Martin: Are you familiar with the legal provisions outlined in the WSIB Act?

Mr Dimovski: Yes.

Mr Martin: And in your opinion, what would or would not constitute a fair application of those provisions?

Mr Dimovski: Can you be more specific?

Mr Martin: In considering somebody's application before you, what would the reality of that person's situation have to be in order to fall within the legal provisions outlined in the act, and how would you try to connect that? What would be the framework within which you would operate?

Mr Dimovski: Anything that would appear before me would have already been adjudicated fully by the Workplace Safety and Insurance Board and then I would hear it. I'm not too sure what you're trying to explain to me.

Mr Martin: I'm not trying to explain anything. I'm just trying to get a sense from you as to what you think is fair in terms of people presenting and the act.

Mr Dimovski: The act is fairly flexible right now. People tend to think of an appeals tribunal as a law court. It's not specifically a law court; it's quasi-legal in nature. But the hearing process that the act outlines is one that's not adversarial at all; it's actually investigative. As a vice-chair you're trying to discover the facts in the case, and upon those facts you're supposed to render an impartial decision, and you do that forthrightly, as quickly as possible. There is a provision in the act that states that a decision should be rendered 120 days after its hearing, so I'd adhere to the act.

Mr Martin: OK. Unfortunately, there's no real obligation on tribunal members to ensure that they submit their decisions within 120 days. However, as you said, it's really important that you try to adhere to that. Do you have any commitments that would tie you up or hinder your ability to deliver a verdict within that period of time?

Mr Dimovski: No.

1330

Mr Martin: What are your impressions of people who can't work because of injury?

Mr Dimovski: Frankly, I don't know how to answer that. My impression would be that if they can't work due to injury, and I've had relatives who couldn't work due to injury, it's just an unfortunate set of circumstances.

Mr Martin: Let me put it maybe another way: do you think there's a lot of fraud in the system?

Mr Dimovski: I don't have enough facts to make a decision or render an opinion on that.

Mr Martin: By saying that, then, you would—

Mr Dimovski: I have no clue whether there's fraud, a lot of fraud, in the system.

Mr Martin: Would your sense be that most people presenting are legitimate and sincere and genuinely looking for compensation to carry them through a difficult period or for the rest of their lives?

Mr Dimovski: That would be the thought I would operate under, my prima facie thought, yes.

Mr Martin: But you have nothing in your background—you mentioned you had worked in the Northwest Territories. Up there, was your experience that most people presenting were legitimate?

Mr Dimovski: Yes, sir.

Mr Martin: And it would be your approach, in dealing with people when they came before you, that they're presenting legitimate—

Mr Dimovski: Yes, sir.

Mr Martin: OK.

I think we've had this discussion already, but are you aware of the need for political neutrality in the job?

Mr Dimovski: Yes, sir.

Mr Martin: OK. Those are all the questions I have.

The Chair: Further questions?

Mr Mazzilli: When it comes to quasi-judicial bodies, as you know, it's very difficult, because often we have

people appointed to quasi-judicial bodies who are not lawyers, who perhaps have great skill sets and great education, but it takes some training to get to the point of being able to hold a hearing, with all the rules of evidence and so on.

You are a lawyer and you obviously seem to more than understand that it is judicial, but that it's also investigative, and that your responsibility in holding a hearing is to get the facts into the record, if you will, and sometimes you have to actually drag the facts out of perhaps injured workers. I'm very impressed to hear that, because often people will appeal decisions, and there's nothing more unfortunate than if an appeal is heard and some facts are not in the record. You understand, whether your decisions are appealed or not, that it's important for you to have all the facts in the record for that person.

At the same time I still support, with the difficulties involved with all quasi-judicial bodies, the broad-based appointment process that appoints teachers, police officers and lay people and not just lawyers. I just wonder if I could get your thoughts—I know it's a government issue and not your role here, but in the future I would continue to support that type of process. Like I said, sometimes people have all the skill sets to hold a hearing but they perhaps don't have background in that particular—whether it's the environment, worker safety in this case, or other boards. In some cases they have some of those skill sets but not the legal training. What would your position be on that from a government perspective?

Mr Dimovski: I tried to draw this point out earlier today. The tribunal is not a law court; it's quasi in nature. I do find that people from a diverse spectrum of society, the whole spectrum of society, can provide useful insight into a tribunal like this. My experience in the Northwest Territories aside—well, not aside—I did recognize that they were productive. There were only a certain number of cases that were appealed to the courts. Some of these people had a steep learning curve, but I find that people who are educated in the basics of administrative law, and that doesn't take a lot, can do quit a good job adjudicating in bodies like this.

Mr Mazzilli: That's my only question. I will be supporting your appointment, and I wish you luck.

Mr Dimovski: Thank you, sir.

Mr Wood: We'll waive the balance of our time.

The Chair: That completes the questioning. Thank you for being with us, sir. You may step down.

NICOLETTE NOVAK

Review of intended appointment, selected by official opposition party: Nicolette Novak, intended appointee as member, Niagara Escarpment Commission.

The Chair: The next intended appointee is Nicolette Novak, intended appointee as member, Niagara Escarpment Commission.

You may come forward. As you know, you have an opportunity to make an initial statement. Subsequent to

that, questions will be asked by members of the committee if they see fit. Because I have an interest in Niagara Escarpment Commission matters, I will leave the Chair to Mr Gravelle, who can write down times and things like that. Mr Gravelle gets his chance now to cut me off, you see.

Interjection: You don't have a conflict, do you?

The Chair: None at all.

The Vice-Chair: Good afternoon, Ms Novak, and welcome. You have an opportunity to make some opening remarks, if you please, and then we will begin the questioning. I believe we begin with the third party. Please go ahead.

Ms Nicolette Novak: Good afternoon. It's my pleasure to come before this committee today to introduce myself and present my credentials for your consideration.

My name is Nicolette Novak. I am a lifelong resident of Niagara and grew up on the farm where I presently reside. The farm was built up by my father, Karel Novak, in the late 1950s. I lease the land to a neighbouring farmer, and I operate my current business on that property. The business is the Good Earth Cooking School and Food Co Inc, which is located in Beamsville.

Over the past several years, I've had the privilege of serving two Premiers on different boards. I served as a member of the Crop Insurance Commission of Ontario during its period of transition to Agricorp. I currently serve on the Ontario Farm Products Marketing Commission as a member, and I trust that I've been able to make a valuable contribution to both those boards as well as to the constituents they serve.

I was recently approached by a local resident in the area to consider putting my name forward for consideration to fill a vacancy coming up on the Niagara Escarpment Commission. Growing up in Niagara, as Mr Bradley knows, you can't help but notice the escarpment, and it means a lot to us. Therefore, I was happy to have the opportunity to put my name forward for consideration.

My current business feeds off and indeed contributes to the growing agri-tourism industry in our area. Much has changed in our landscape since I was a little girl in Beamsville. Development continues to encroach on our area, and it's only natural that people would want to have a piece of that pristine beauty at any price; hence, the need for legislation such as the Niagara Escarpment Planning and Development Act to ensure that we don't lose this natural asset.

As I always point out to people, agri-tourism can only thrive if we have a vibrant agricultural community. Similarly, we need to ensure that the Niagara Escarpment remains unblemished as a stunning natural backdrop to that vista. If successful in my application for appointment to the Niagara Escarpment Commission, I would strive to uphold the spirit and intent of that legislation. Nature is a finite resource, I believe, and we do have an obligation to leave it for future generations.

I'm a University of Toronto graduate in international relations. I have worked at Queen's Park as a ministerial assistant, so I understand the importance of the political

process. Following my father's untimely death in 1987, I took over the family tender fruit farming operation, farming 220 acres in Beamsville, operating a farm market and conducting school tours. As a farmer and landowner in Niagara, I am all too aware of the development pressures on the primary resource sector. Today I operate a very successful cooking school and catering company on the family farm. The philosophy of the school is to give the urban public an opportunity to really experience Niagara, its people, its produce and its beauty, and also to reconnect with the land.

Throughout my careers, if you will, I have always been an active participant in related organizations and the community. I strongly believe in being a participant rather than a silent critic. I sincerely appreciate the opportunity to give something back to the community and to the industries I live and work around. I hope that my past contributions will serve as an example of my commitment to that belief and as a record of accomplishment for you to consider.

I'd be more than happy to answer any of your questions.

1340

The Vice-Chair: Thank you, Ms Novak. We'll begin the questioning with Mr Martin.

Mr Martin: Thanks for coming today. I guess I'd be interested in your view of the Niagara Escarpment Planning and Development Act.

Ms Novak: I think it is important to have legislation in place that is going to protect something of that immense beauty and that is environmentally unique, if you will. Unfortunately, when things tend to be attractive or if it's a beautiful spot, people want a piece of it, and it's very easy to fall prey to reasons around why it's a good idea to develop or why it's a good idea to build on those properties. My belief is it's important that we protect that area considerably and aggressively. There is a lot of pressure in Niagara. I'm familiar with the Niagara Escarpment in the Niagara area; I'm not terrifically familiar with it in the north. But certainly in our area the pressures to do things on the escarpment are enormous, and I believe it's very important that we have legislation in place and a means for those interests to be fairly vetted, and for us to make decisions based on that.

Mr Martin: What are your thoughts on the Niagara Escarpment plan?

Ms Novak: I think it is a balanced piece of legislation. The plan itself allows for certain development under certain very stringent conditions. It's reviewed regularly, which I think is also important. Things change, not necessarily for better or for worse, but we need to look at things periodically. So the plan is in place with certain guidelines and restrictions as to what can and can't be done, but also a process is in place for people to come forward with development proposals and so on. I think we need something in place to look at that, rather than just pretend it's not there.

Mr Martin: Do you agree with its basic principles, or do you have some other principles?

Ms Novak: I agree with its basic principles.

Mr Martin: What's your understanding, then, of the role of the commission?

Ms Novak: The staff of the commission looks at the various proposals. The role of the commission is to consider them and put final approvals on them or not, and also to ensure that the legislation is lived up to in terms of its spirit and intent. So in the end, the staff has a role to play in developing positions going forward.

Mr Martin: In your view, coming to the commission, are there any particular issues or ideas or things you want to put forward or champion or focus on?

Ms Novak: Understandably, Niagara is of concern to me. I am a resident of Niagara, and I don't want to presuppose what Mr Bradley will say, but I know his position on the winery issue on the escarpment, and I must admit that I share a lot of those concerns. But I don't think my role is to become a champion for any one voice on that board. It's similar to activities on any other board or commission: you come to the table and hang your hat at the door. You bring a skill set to that table and maybe some expertise in some areas, but at the end of the day, you are only one of many around the table. There is room for very full debate and heated argument, and invariably we come to consensus time and time again. Sometimes the battles are bigger than others, and sometimes there's no battle at all. But I believe it's more important to come forward with the overall understanding of what that legislation is meant to do and to look after what I truly believe is something we need to protect for future generations.

Mr Martin: Have you looked at the membership of the commission, and do you think it's a balanced group?

Ms Novak: I looked at it very briefly. I can't really comment. I'm not familiar with a number of the people, so I really don't think it would be fair of me to comment. I recognize some names. I saw there are some farmers, people who have a vested interest in business and so on, so I think there is an attempt at having a fair cross-section of individuals on the commission who have divergent interests.

Mr Martin: Are you aware that some of the municipalities that take in parts of the escarpment are actually looking to have control over the development of those lands? Would you be in agreement with that?

Ms Novak: My initial sort of gut reflex is no, I wouldn't. I don't think we want to have municipalities starting to—I think we need one cohesive plan for that long stretch. Otherwise, we're going to have a bit of a dog's breakfast of development of different types and natures across that piece of property.

Mr Martin: Thank you very much. That's all my questions.

The Vice-Chair: Government members?

Mr Johnson: Ms Novak, I'm interested not only in the general background but some of the specific things that people bring to the job at hand. I'm interested in two things. One is the Good Earth Cooking School. Tell me

about it. By the way, I represent the city of Stratford, and we have a chefs school and so on.

Ms Novak: Very good. Yes, you do. You have the Stratford Chefs School, and in fact two of my resident chefs are graduates of the Stratford Chefs School.

The idea behind the Good Earth Cooking School is simply to demystify what it is to be a chef. We invite in chefs from the various winery restaurants to conduct demonstration cooking classes. I have two resident chefs on staff. The idea is to sell the Niagara experience—and by that I mean to have people understand that Niagara is more than Niagara-on-the-Lake, it is more than Niagara Falls, it's more than just the wineries, it's more than just the restaurants; it's about a beautiful place where people make a living, where they're passionate about what they do and so on—and to allow people to reconnect with the land. By that I mean that the majority of people who come to my cooking school are affluent, well travelled and have a vivid interest in food and wine. What has happened over time, though, is that very few people remember growing up on a farm or living on a farm. Their understanding of what farming is today in the 21st century is really very limited. So it's an opportunity for them to reconnect. It's very convivial. We have all kinds of great discussions. It is to provide another element, if you will, to the agritourism that is growing up in the Niagara area.

Mr Johnson: I had the occasion in February to visit with Speaker Matthew Roberts in St Lucia and met a chef who was just about to leave for New York, where he was going to give demonstrations and promote cooking with those products from the island, a very fervent nationalist in his background. I don't have his name right now, but if you're interested in that sort of exchange, let me know.

The other thing is, I wondered, how far apart are Beamsville and Vineland?

Ms Novak: It depends on how quickly you drive. No, I'm just joking. It's very close; it's about five minutes.

Mr Johnson: My interest in asking was because I used to know a Jack Perkin. Just as a matter of interest, if I can digress, I can remember him telling my father underneath a peach tree—he was reaching up and he was pulling down a peach, and he had either short sleeves or they were rolled up, but he was pulling apart this peach and the juice was running down his arms and he was saying, "Frank, this is a freestone peach." That was in, I would guess, the late 1940s when it was being developed, but before that there was no way to get the peach easily off the stone. He was one of those who had started that variety and so on, an interesting character and just a great man.

Anyway, I wish you well. I'm interested, like I said, in the diverse background that people bring, because most of us value the experiences that each of us—and they're all different—get from the Niagara Escarpment. Thanks.

That's all I had, Mr Vice-Chair.

The Vice-Chair: Anybody else?

Mr Wood: We will waive the balance of our time.

The Vice-Chair: We now move to the official opposition.

Mrs Dombrowsky: Good afternoon, Ms Novak. In your resumé that you very kindly provided to us, you've indicated that from 1982 to 1987 you were an executive assistant to a member of the Conservative caucus here at Queen's Park.

Ms Novak: Yes.

Mrs Dombrowsky: Who was the member?

Ms Novak: It was none other than Philip Andrewes.

Mrs Dombrowsky: Philip Andrewes. You also indicated under "Other Activities" that you were a past president of the Erie-Lincoln association. When was that?

Ms Novak: It would be—I'm going to be guessing now; I can't remember—probably five, six years ago.

Mrs Dombrowsky: Do you continue to be a member of the association?

Ms Novak: I'm a member of the association. I don't take any role in their executive. Since I've started my new company, quite frankly I don't have the time.

Mrs Dombrowsky: You know your member of course, Mr Hudak.

Ms Novak: Yes, I do.

Mrs Dombrowsky: Did he suggest you might consider this appointment?

Ms Novak: No.

Mrs Dombrowsky: You did indicate that there was a member of the commission who suggested you might—

Ms Novak: No, it wasn't a member of the commission, it was a member of the community.

Mrs Dombrowsky: I see. Who did you contact in order to arrive here today?

Ms Novak: I believe he contacted Mr Hudak.

Mrs Dombrowsky: So you had a member of the community contact your MPP's office on your behalf?

Ms Novak: Yes.

Mrs Dombrowsky: Well, that's interesting.

Ms Novak: My initial call was from the member from the community. I didn't make the call.

Mrs Dombrowsky: And then was there a follow-up call from Mr Hudak's office to you?

1350

Ms Novak: Yes, to ask whether I was interested in serving.

Mrs Dombrowsky: I see. And then at that point in time it was explained how you would pursue this, so it was with the assistance of Mr Hudak that you have in fact arrived here today?

Ms Novak: Yes, it was.

Mrs Dombrowsky: It would be, I'm sure, safe to assume, since you have been a past member of the executive, that you continue to be a member of the party.

Ms Novak: Yes, I am.

Mrs Dombrowsky: Have you worked on recent campaigns, leadership campaigns, donated?

Ms Novak: I donate annually.

Mrs Dombrowsky: To Mr Hudak?

Ms Novak: I don't think it's relevant, quite frankly, but yes, I do.

Mrs Dombrowsky: I'm very interested in—

Ms Novak: I know, but I don't think whether I donate or don't donate is an issue.

Mrs Dombrowsky: It is a matter of public record.

Ms Novak: I appreciate that.

Mrs Dombrowsky: And we do ask a number of intended appointees how they support the political process. It is a matter of public record as well.

I guess that would be all at this point in time.

Mr James J. Bradley (St Catharines): OK, I have some questions. The first question I would have is, what would your opinion be of applications for such things as ski resorts, hotels and restaurants on escarpment land?

Ms Novak: I will tell you quite frankly that I've had heated debates with people on that in our area, definitely. If I may digress, the person who contacted me actually is somebody who has a winery and we have a divergent opinion on this. We sit in two different positions on that. I am not in favour of it; I will tell you that outright. I believe that one of the greatest things we could do for Niagara and for the little communities along what we call the wine route is to move some of that development or additional activity, if you will, of restaurants and so on into our municipalities, so that a little town like Beamsville doesn't have to survive based on three pizza parlours, one Dollarama, boarded up storefronts and so on.

I think there's a lot to be said for the California approach to how they've treated the Napa Valley. I believe there's only Clos Jordan that has a restaurant attached to it, and that was grandfathered into existence afterwards. So I really am not a great advocate for having alternative uses on that land. I think it presents a lot of pressures that are unnecessary and it could be done elsewhere.

Mr Bradley: One of the reasons I ask—you know some of the controversial issues in the area. You operate a culinary school.

Ms Novak: Yes.

Mr Bradley: And it's on your farm property.

Ms Novak: Yes.

Mr Bradley: But your farm property is not on the escarpment lands, so that's a different circumstance you'll be facing. You know there has been an application for something similar on escarpment land and that in itself the idea is a wonderful concept. It's where it is that seems to be the matter of contention.

Ms Novak: Absolutely. If I might comment on it, first of all, my cooking school is very small, 12 people maximum. It's operated, if you will, out of my once-upon-a-time garage, which I have renovated. So it's a completely different animal to what is being proposed at Vineland Estates.

Yes, there is no doubt it would have been wonderful for the area and so on, but there's no precluding such a facility being built elsewhere, and we're now seeing the Niagara Culinary Institute or whatever they're calling

themselves being built across from Jackson-Triggs in Niagara-on-the-Lake. So I think there is lots of room for that type of activity. In fact, it probably would be great for the whole area in terms of the development of agri-tourism and a greater understanding of what Niagara is all about, but it doesn't need to happen on the escarpment. In fact, I don't think it should.

Mr Bradley: You mentioned that a member of the community suggested that you apply for this. Are you willing to say who that was?

Ms Novak: I don't think it's—if you want me to, I'm not averse to it. I don't know what the rules are. I don't want to get him into—I mean, I don't mind. I'd be happy to tell you.

Mr Bradley: It's more curiosity than anything else, so I'll go on to—

Ms Novak: Could I whisper it to you later? Would that be suspicious?

Mr Bradley: That sounds great to me.

Ms Novak: OK.

Mr Bradley: Thank you very much.

Have you any family member or anything like that—this is a routine question I'm always asking people—who would have escarpment property where there would ever be any conflict?

Ms Novak: I wish I did. No, I don't. I only have a surviving mother and that's it. I have no siblings or anyone else.

Mr Bradley: I think people who are very interested in the Niagara Escarpment Commission believe that it is seriously underfunded and seriously understaffed and therefore unable to do the job that it was contemplated to do. Would you be a person, if you were to observe this to be the case, who would make a recommendation to the government, as an individual or through the commission, that there be additional staff and finances provided, if indeed it were your observation that that was required?

Ms Novak: Yes. I think part of the role of being at the table is to observe the activities of that body. If you feel that you can't provide the stewardship that is required under the present funding, yes, I think it needs to be drawn to the attention of the powers that be. That's part of the process. I think it's the stewardship element that's very important, and that goes to any board or commission you sit on. There's a responsibility, I guess, that goes with that.

Mr Bradley: There is a concern, because some members of the Legislature—and it is certainly their prerogative to do so—have recommended that the Niagara Escarpment Commission in essence be abolished and that the responsibility for the planning and administration of the escarpment come under the jurisdiction of municipalities. I thought I understood you to say, in answer to Mr Martin, that you would not be in favour of that happening.

Ms Novak: I wouldn't. When you look geographically at the stretch of property we're talking about, the land that we're talking about, I don't know how you could administer that very effectively by having multiple

municipalities developing different criteria, if you will, for how that would be managed. I think it's better served by having one piece of legislation that dictates how it's to be, whether it's Niagara Falls or up to Tobermory. That makes a lot more sense. They have an opportunity for input in that discussion, and if they can make a good case—people are pragmatic around the table when a discussion ensues and I think they have ample opportunity to make that case.

Mr Bradley: There's a controversial issue that has arisen—you're not a member of the commission at this time so perhaps it's fair ball to ask you a question about it—and that is the mid-peninsula corridor. There has been some considerable debate over whether there should be a full and complete environmental assessment as contemplated in the act, before it was, I would say, decimated by the government.

Ms Novak: That would be a good description.

Mr Bradley: The government members would disagree with that.

Mr Johnson: Slightly watered down.

Mr Bradley: "Slightly watered down," says Bert Johnson. Would you be in favour of a full environmental assessment that looked at the need for a mid-peninsula highway or transportation routes, or are you in favour of a restricted environmental assessment which simply decides, "There will be a highway. We're just going to find out where it's going to go"? Do you have an opinion on that?

Ms Novak: That's a tough question. I guess it depends on where I'm sitting on that fence, whether I'm a commission member or not. Obviously as a resident of Niagara, I'd be more than delighted to see traffic go up there. It should probably have gone up on the escarpment, further on the clay lands, a long time ago. As a farmer, the impact of the QEW has been enormous, and that has brought a lot of development pressure into the area. My only hesitation on a full and complete environmental review is that sometimes that becomes a very long and arduous process. So I guess I'm exhibiting great Libran tendencies here, sitting on the fence on that issue, because it is a tough one.

I think it is imperative that we move forward with some alternative to what's happening presently, because at the rate we're going, we will pave over Niagara, and I don't really want to see that happen. By the same token, there are needs to ensure that we don't repeat the same mistakes by just plunking a highway down and then worrying, 40 or 50 years later, that we've done something incorrect. I guess part of my hesitation in answering is that I'm not 100% clear how that proposed highway is to go through the peninsula above, where that starts and ends and what would be impacted.

The Vice-Chair: Mr Bradley, you have one last quick question.

Mr Bradley: He loves cutting me off.

Ms Novak: It's only fair. It's his chance.

Mr Bradley: That's right.

You know the farming business exceedingly well. Would you contemplate or see any problems that would arise—because they have in the past—any conflicts between members of the farming community and members of the commission? Are there farming activities you could contemplate that would be detrimental to the best interests of the preservation of the escarpment, and would you be prepared to take the side of preservation?

1400

Ms Novak: I think that's a very fair question. Once again, one has to look at the issue based on its merits. It's something we do around the table at the Farm Products Marketing Commission, looking for industry solutions as opposed to just any one interest group's particular position.

Yes, I am very strongly linked to the farming community. However, I believe that farming is a business and needs to stand on its feet as a business. Sometimes people come up with crazy ideas simply because they need an alternative to making a living just as farmers. Yes, something could come forward that was completely off the wall for the escarpment. I can assure you I wouldn't want to see that happen, particularly if it entails marring some element of it. We have vineyards already on the escarpment—that's a whole other issue—but as long as they maintain normal, standard farming practices, that's not an issue. But if we're starting to do—I'm trying to think of what the weirdo scenario would be, but quite frankly, once again, as I said before and I reiterate once more, I think it's a unique natural asset that we have and it behooves us to look after it for the future, because once it's gone, it's gone. We've seen that happen along the lake, we've seen it happen in Niagara, we see it happening in Toronto along the lakefront. I think we've got to look after it.

Mr Bradley: I'm not taking time to ask a question. I just hope your farm survives, because I know many others haven't.

Ms Novak: That's why I do crazy things like the cooking school.

Mr Bradley: For our friends on the committee, the farmland over the years has just been paved almost into oblivion in some cases. So I admire the farmers who will struggle and carry on with a business which is exceedingly important to our province. But you could almost cry watching the farmland disappear in the Niagara Peninsula.

Mr Johnson: The committee takes note that Mr Bradley wants more gridlock in St Catharines.

The Vice-Chair: I think we all appreciate Mr Bradley's comments.

Thank you very much, Ms Novak. That does complete the time available for our discussion, so you may step down.

STANLEY SADINSKY

Review of intended appointment, selected by official opposition party and third party: Stanley Sadinsky,

intended appointee as member and chair, Ontario Lottery and Gaming Corp board of directors.

The Vice-Chair: Our next appointee is Mr Stanley Sadinsky, intended appointee as member and chair of the Ontario Lottery and Gaming Corp board of directors. Welcome, Mr Sadinsky. It's good to see you. As with all appointees, you have an opportunity to make some opening remarks if you wish and then we will begin the questioning with the remaining time, beginning with the government party.

Mr Stanley Sadinsky: Thank you all for giving me the opportunity to appear before you and answer any questions you might have regarding this proposed appointment. I understand you've been provided with copies of my CV, but by way of an opening statement, I will simply try to highlight a number of points which have led me to be here before you today.

By way of personal information, I am 63 years old and have been married to Gillian Robertson for 34 years. We have two married daughters and two grandsons. I was born and raised in Ottawa and attended one of Ontario's oldest high schools, Lisgar Collegiate. Like most students from Ottawa who couldn't afford to go to the University of Toronto but still wanted to leave town for their university education, I followed several friends and family members to Queen's.

I graduated in law in 1963 and articulated with a law firm in Toronto which is now known as Weir and Foulds. I was called to the bar in 1965 and was invited back to the firm as a junior to John Arnup, who was then the treasurer of the Law Society of Upper Canada and who ended his illustrious professional career as a justice of the Court of Appeal. I was made a partner of the firm in 1970 but decided soon after that we didn't want to live in Toronto, and we moved to Kingston in 1971. I became a professor of law at Queen's but also conducted a small civil litigation referral practice, deriving most of my work from lawyers in our area who did not wish to take matters to court. At Queen's, I taught a number of courses related to civil litigation.

One of the great advantages of academic life is the flexibility that goes with it, and I was fortunate to have been asked to become involved in a number of very interesting projects over the years. For example, I did work for the Ontario Law Reform Commission and for 17 years was academic consultant to the Canadian Judicial Council and helped it organize and deliver annual summer educational seminars for federally appointed judges in Canada. I served as a member of the Canadian Human Rights Commission panel and sat on a number of human rights cases.

In 1979, I was appointed to the Ontario Housing Corporation's board of directors, and in 1981, to the Ontario Racing Commission. I was reappointed to the commission in 1984 and became its vice-chair. I left the commission in 1985. However, there was lots to do at the university, at the judicial council and at the human rights commission, and while I missed my work on the racing commission, I had plenty to keep me busy.

In 1994, I was asked to return to the racing commission as chair, and I was delighted to do so. I was reappointed as chair in 1997 and again in 2000. Needless to say, I have become very familiar with the horse racing industry in Ontario, and following the introduction of slots at racetracks, I also became familiar with the work of the Ontario Lottery and Gaming Corp.

At Queen's, I decided to develop a course in gaming law, which covered all aspects of gaming including casinos, charity gaming, horse racing, bingo and lotteries. In addition, our course dealt with a number of social policy issues including compulsive gambling behaviour and the government's role in gambling. While the emphasis was on legal issues, in order to deal with them, one had to understand the gambling industry as a whole. This was the first such course in Canada, while it is being taught in several US law and business schools.

I'm delighted to have the opportunity of being considered to serve on the OLGC, and I look forward to it with great enthusiasm should this proposed appointment be confirmed.

The Vice-Chair: Thank you very much, Mr Sadinsky. We'll begin the questioning with the government party. Are there any questions at this time?

Mr Wood: We'll waive the balance of our time.

The Vice-Chair: We'll move to the official opposition.

Mrs Dombrowsky: I noted with some interest in the background material you provided for us that you have been with the Ontario Racing Commission. You were a commissioner from 1981 to 1984, vice-chair from 1984 to 1985, and then chair from 1994 till—

Mr Sadinsky: Now.

Mrs Dombrowsky: Till now. You are still the chair of the Ontario Racing Commission. A few questions, then.

It has been presented to me that the Ontario Racing Commission has permitted tracks to reduce the number of race days since the introduction of slots. Is that the case?

Mr Sadinsky: No. In fact, the number of race dates in Ontario has increased by approximately 20%; that is, live race dates.

Mrs Dombrowsky: At every track?

Mr Sadinsky: No. That's the average across the board.

Mrs Dombrowsky: There are some tracks, though, where the race days are in fact fewer.

Mr Sadinsky: Yes, there are a few exceptions. When we grant race dates at our annual race date hearings, we hear the submissions of the tracks as to how many race dates they want to race, we hear the submissions of the horsemen, who are affected by that, and we make a decision based on the particular circumstances of each track.

Mrs Dombrowsky: Would it be fair to assume that it would be the smaller tracks that would probably be reducing their race dates?

Mr Sadinsky: Not necessarily. Rideau Carleton is an example of what I wouldn't call a small track. It has had

a reduction in race dates. But if one understands the type of market Rideau Carleton is in, having regard to the fact that there's a smoking-permitted casino in Hull, right across the river, it's in a very unique situation. So what we have to do, in effect, is balance the interests of the horsemen and their economic position, the interests of the track and basically the interests of the public, particularly the public in Ottawa, who are served by this facility.

Mrs Dombrowsky: As chair of the Ontario Racing Commission, do you see that your appointment to the Ontario lottery and gaming commission would place you in any position of conflict?

Mr Sadinsky: No. First of all, it's not the Ontario lottery and gaming commission; it's the corporation.

Mrs Dombrowsky: I'm sorry.

Mr Sadinsky: The Ontario Racing Commission is a regulator. The Ontario Lottery and Gaming Corp is an operator. So it's a very different role. We regulate racing; the OLGC operates the casinos, the charity casinos, the slots at racetracks, programming and so on.

1410

Mrs Dombrowsky: So you're suggesting that any of the interests of the commission would not be impacted by decisions that might be made at the corporation level?

Mr Sadinsky: Well, except for this: the slots-at-racetracks program is basically run by the Ontario Lottery and Gaming Corp. That has an effect on what happens at racetracks, and so there in effect is a relationship between the slot operation and its effect, for example, on live racing. One of the main reasons slots were put at racetracks was to enhance live racing. The Ontario Racing Commission basically regulates race dates. So there is a relationship between the two, but the functions are entirely different.

Mrs Dombrowsky: How is it that you've come to be intended to be appointed to the corporation?

Mr Sadinsky: I was approached.

Mrs Dombrowsky: By whom?

Mr Sadinsky: By the Premier's office.

Mrs Dombrowsky: The Premier's office asked you to—

Mr Sadinsky: Consider.

Mrs Dombrowsky: —consider this?

Mr Sadinsky: Yes.

Mrs Dombrowsky: So you pursued that through his office?

Mr Sadinsky: Well, I educated myself a bit, as best I could. I know something about the OLGC because of the slots-at-racetracks program and also because of my knowledge of the gaming industry as a whole. So it wasn't entirely new to me. I looked at the nature of the work of the OLGC and I asked myself some hard questions as to whether I would be interested in taking on that particular function as chair.

Mrs Dombrowsky: Are you a member of a political party?

Mr Sadinsky: Yes. I currently am a member of the Progressive Conservative provincial riding association.

Mrs Dombrowsky: Thank you. I know that Mr Bradley has—

Mr Bradley: If I may continue the questions, you mentioned that the purpose of putting slot machines in the racetracks was to assist the racing industry. I have a different view: that it could have been enhanced by allowing the racing people to keep more of the money and that in fact having slot machines in racetracks is really a way of circumventing the government's commitment not to open 44 charity casinos that would be running 24 hours a day, seven days a week, bleeding money from local communities and very often from people who can't afford to be giving it. Would you give an opinion on whether you think that perhaps these slot machines in racetracks are really charity casinos through the back door?

Mr Sadinsky: Well, they are gaming activities at race tracks, there's no question about that. However, my recollection—and you can correct me if I'm wrong—is that when the government did propose the 44 charity gaming clubs, they also at that time proposed to put VLTs in the racetracks. That was part of a package. When they abandoned the 44 charity gaming clubs, they continued, in effect, with their endeavour to assist the racing industry, but it changed from VLTs to slots. So it was basically both at the beginning. Had they gone ahead with that, I think there still would have been either VLTs or slots at the racetracks.

Mr Bradley: They appeared to go from what some of us refer to as the crack cocaine of gambling, that is, video lottery terminals, to the marijuana of gambling, which would be the slot machines.

Mr Sadinsky: Marijuana is therapeutic now, we understand.

Mr Bradley: That's a very good line. I've got to say that's a very good line.

Mr Sadinsky: I was told not to tell jokes.

Mr Bradley: I worry because the moral majority, the family values crowd who are so worried about other issues, seems to be mute on the issue of what gambling does to the fabric of our society and who really suffers from it. A former colleague of mine said he went into a casino, in this case, and said, "Do you know something? The very people who shouldn't be in there were the people I saw inside." That was his observation, and he was pro-gambling previous to that. But I digress. I'm going to go to another question.

Do you believe that people should be able to max out their credit cards at casinos in this province operated by the government of Ontario?

Mr Sadinsky: I think people should be free to spend their leisure dollars in the way they see fit. I think if people overindulge in any social activity to their detriment, and I include gambling in this respect, there is an obligation on society and on government to deal with those kinds of issues, just as we have done with alcohol. So I would not personally—and this is just a personal opinion—be in favour of telling people how to spend their money, but I am very interested in ensuring that

people who get into trouble by spending their money in the wrong way or foolishly are helped and assisted.

Mr Bradley: What do you think of the carefully crafted commercials that are being aired on television that, in my opinion at least, promote gambling and prompt individuals, particularly the most vulnerable and desperate, to head to the slots rather than heading home?

Mr Sadinsky: Truthfully, Mr Bradley, I haven't paid a lot of attention to them. I don't watch a lot of television to begin with, and until very recently I wasn't paying a terrible amount of attention to the detail of what the OLG was doing, the way in which they were marketing, for example. If I am appointed chair, I'm going to pay an awful lot of attention to the way marketing takes place. I want to be sure that whatever the OLG does it does in a socially responsible way. There's a fine line, obviously, between marketing and being socially responsible, and it's a difficult one, I think, and that's just being an outsider. But I for one want to keep that social responsibility dimension at the forefront of my thinking.

Mr Bradley: People ask MPPs where the money goes from all the gambling that the Ontario government, the biggest gambling promoter in Ontario, is now involved in. They ask where it goes to. Would you confirm for this committee that every last penny of it goes into the consolidated revenue fund of Ontario?

Mr Sadinsky: No, because under the legislation and the regulations, some of it goes elsewhere. We know, for example, that some of it goes to support the horse racing industry, both the tracks and the horses. We know that some goes to the Trillium Foundation to support charities. We know that some goes to the municipalities if they are host to a gambling facility. We know that some of it goes to support treatment for compulsive gambling behaviour. So to suggest that all of it goes to the consolidated revenue fund is just not the case.

Mr Bradley: Ultimately it may go to those, certainly notionally speaking, but the Ontario government in fact controls, through agreements or whatever, how much goes to municipalities, how much goes to the Trillium Foundation, which is sold to the people of this province, saying, "You must have these casinos, and if you don't have them, Trillium won't have any money." Didn't Trillium used to get money from other government-of-Ontario sources before they tried to tie it to gambling to justify allowing these gambling opportunities in the province?

Mr Sadinsky: I don't know a lot about Trillium, truthfully, but I do believe that it did and still does receive some funding from sources other than gambling.

The question of how the government spends the net revenue from gambling is a matter for the government. The OLG does not, in effect, dictate that; that's a matter of government policy. The government is the sole shareholder of the OLG under its legislation and as such has the statutory right and power to make those kinds of decisions. Clearly, if government is making the wrong decisions, some other government will make the right ones.

The Vice-Chair: Mr Bradley, one last quick question.

Mr Bradley: OK.

Having been thwarted from its idea of placing in every village, every hamlet, every town, every city of this province in the hotels and restaurants of those places video lottery terminals—they were thwarted from that particular opportunity—the government, I suspect, is looking for other places. Do you believe it will be appropriate for the government now to get into—I hate to suggest it, but I'm sure they've thought of it—Internet gambling so they can get even more money? Not satisfied to get the money from the bingo halls now, where they steal—sorry, not steal—where they extract a lot of money from the bingo halls, from the charities there, and from other places, do you think it is appropriate for them now to get into Internet gambling? I hate to suggest that, in case the government hadn't thought of it.

1420

Mr Sadinsky: First of all, Mr Bradley, Internet gambling is illegal in Canada. That is a matter that's controlled by the federal Parliament, as you well know. It would be entirely inappropriate for the provincial government to take steps to get involved in an illegal activity until the feds decide, if they ever do, to amend the Criminal Code.

Personally, I don't support Internet gambling. It's a very complicated issue. We've looked at it very carefully from the racing side because there are a substantial number of offshore gambling sites that receive bets from all over the world, including Canada and the United States, and a large amount of money is in effect disappearing and not coming back to support either the racing industry, which is what I was concerned with, or the government, if it's dollars that would otherwise remain in Ontario.

Internet wagering is very difficult to regulate and it's because of the nature of the Internet. The people in Canada and the United States who are betting with these offshore sites are committing offences but it's virtually impossible to police it because they're doing it in the privacy of their own homes. Quite frankly, I don't think the police are interested in that kind of activity.

So it's one of those things where you're damned if you do and you're damned if you don't. If you don't get into it, then whatever it is that's flowing out continues to flow out and there's no return. If you do get into it, you create a whole new series of regulatory and, in my view, social problems. I think gambling is not an activity one should promote being done in the isolation of one's own home. To me, it's a social activity. I've seen and I've experienced a lot of people getting a lot of social pleasure out of social gambling, and I'm talking about responsible gambling. I think fostering gambling that takes place in your basement between you and your computer screen is not the kind of social activity that any of us should be interested in promoting. But that's just my view.

The Vice-Chair: Thank you very much. Mr Martin.

Mr Martin: Good afternoon. You're about to become a very important person in Sault Ste Marie; you realize that?

Mr Sadinsky: That's up to you.

Mr Martin: My hunch is that you are, and I'm not here today to object to your appointment. I'd like you to know that. I'm surprised, though, that the government side hasn't asked you some questions because this is a really, really important revenue-generating activity in this province. We're looking at over \$2 billion now annually, and the projection is that you're heading to \$2.5 billion for 2003-04. So it's very significant and very important.

I guess it's with that in mind that the first question I have for you—and it's somewhat in line with my colleague from St Catharines. I note in my own community the impact now on other kinds of smaller gaming, charitable activity that goes to support hockey teams, soccer teams, small charities, people in trouble and that kind of thing. We've been having a battle for well over a year, probably close to two years, with the provincial government, trying to get a handle on what seems to be a more aggressive oversight of those small gaming opportunities that we all participate in, none of us with any criminal intent or wrongdoing involved, but now all of a sudden we're finding it's harder to get licences, it's more difficult to spend the money on the things that you would traditionally have spent money on and, of course, there's less money because a lot of that money now, the disposable, discretionary income that's available for that kind of thing, is going to the casino.

I guess our concern is, is anybody looking at that and would that be a concern of yours in being appointed as chair of this corporation? It is having a very definite and significant impact on my own community. I'm assuming that the other communities where particularly the charitable casinos now exist are experiencing somewhat the same thing, maybe not to the same degree. Is that something that you'd be interested in looking at?

Mr Sadinsky: Very much so. It's not an area that's familiar to me now, so I can't answer whether it is in fact being looked at. But obviously—I shouldn't say obviously. I would anticipate that someone in my position or someone with the OLGC would hear the representations of those operators of activities of that kind that there is a problem. Should that be brought forward to us, it would be an issue I would be very interested in looking at. Again, it sounds to me like it's not an easy one. None of them are easy, but this one doesn't sound easy either because in part it has something to do with people's preferences as to what they do with these discretionary dollars. You can play in the casino as opposed to playing small bingo. Is that the kind of activity you're talking about?

Mr Martin: Yes, bingos, raffles.

Mr Sadinsky: But what would upset me, quite frankly, is if the smaller operations were being denied the opportunity to participate because of the competitive advantage that the larger entity will have. That would strike me as being very unfair. So I would be interested in it.

Mr Martin: And that's the hunch that some of us have as we look at this. First of all, you can't compete with the kinds of dollars available to the lottery corporation for marketing and kiosks and all this kind of thing and the attraction of an actual casino. The other sense, and this is hard for us to get a handle on, is that as you look at the pot that's going to the provincial government by way of profit that's generated, that money has to come from somewhere and our fear is that it is actually being managed and that the restrictive oversight that is happening now may be in fact driven from above in an attempt to—you identify, as you did a few minutes ago, money that's flowing out by way of Internet gambling; the lottery corporation looking at, "OK, we've got \$2.4 million this year, we want to get \$2.5 million next year. Where do we get that?" So you target those small operations and say, "OK, there's \$2 million or \$3 million a year being generated at bingos and small raffles and things like that in the community, so let's make it harder for them to do that." There are some people who think that it has been orchestrated in that manner.

We'd like to know, first of all, if it is. Let's find out if it is or not, and if it is, for it to be stopped because it is hurting in a very serious and significant way what many people have often done in communities like my own to support their friends and neighbours to play sports, to look after themselves in difficult health circumstances or whatever. So I would ask that, in coming to this job, you would keep that in mind and perhaps you and I could talk further down the line around this. I have written several letters to the minister responsible for the Alcohol and Gaming Commission of Ontario, the overseeing body, and I'm not satisfied with the answers I'm getting. I'm being sort of put off.

I wanted to move quickly, though, to another—

Mr Sadinsky: Can I just comment on what you said?

Mr Martin: Sure.

Mr Sadinsky: First of all, I don't know, as I said before, whether in fact that is happening. However, if the scenario that you've just put forward was put to me, I would think that there are a lot of other places to find excess revenue, if that's what you're really looking for, than to do it on the backs of the organizations that you've just described. To my way of thinking, they would be far down the list of targets for that kind of treatment.

The other side of it is, I'd want to know what benefits, if any, those organizations are receiving through the channels that are in place for moving money to charitable or community or athletic organizations and the like. I know that those organizations are the recipients of support from, for example, the Trillium Foundation. The local Trillium advisory boards that are in your community or in every community have an opportunity to look at the applications of these various organizations. So I'd want to see the other side of the coin as well. But if it boiled down to just jumping all over organizations such as that to raise the last bit of money, I just don't believe that's necessary. At least, I hope it isn't.

Mr Martin: It's certainly what some people who are in the middle of it and getting hurt by it are thinking as we sit down as a group and try to figure out what the hell's going on here.

Anyway, I just wanted to ask a couple of questions that may present as a bit parochial and self-serving member for Sault Ste Marie—

Mr Sadinsky: Go ahead.

1430

Mr Martin: You're maybe expecting this, I'm not sure, but just a little bit of the history of the lottery corporation. The headquarters of the lottery corporation, when it was first evolving in the decentralization program of the government back in the mid-to-late 1980s, was moved to Sault Ste Marie—very successfully, I would add. Ian Nielsen-Jones at the time, who was the president, was the first person of that calibre or ilk to move up and the lottery corporation was very successful operating out of Sault Ste Marie year over year, improving in revenue and profits etc. Then in early 1995 and into 1996, when the present government took over, there was a decision, first of all, to downsize, and then to move the headquarters out of Sault Ste Marie to Toronto.

At that time, I and the then mayor, Steve Butland, and a few others banded together to put a case to the then president, Garth Manness, to not downsize as much as they were perhaps thinking of doing and, for God's sake, to not move the headquarters out of Sault Ste Marie, because there was no real justification or rationale to support that. But with the appointment of Mr Barbaro as both chair and president, that move happened and we lost a significant number of jobs.

When the lottery corporation was originally moved to the Soo, it was to help diversify our economy, to give us something else we could hang our hat on besides steel, and it worked very effectively. Because of the lottery corporation, there was a real boom in the infrastructure network—telecommunications etc—to make sure we were wired and that the corporation could communicate effectively and quickly with the rest of the province etc, and we were able to take advantage of that. New industry came, attracted by the lottery corporation. As a matter of fact, our post-secondary institutions began to get into the science of lotteries and had courses, inviting people in from across North America to take courses in gaming and lottery and that kind of thing. It became very exciting for us. We were quite enthralled, and for everybody involved it was a whole new field and area of opportunity. It was the place to work. People were actually leaving the steel plant and moving to the lottery corporation. It became sort of the flagship for the Soo.

But when the headquarters moved and Mr Barbaro took over as the chair and chief operating officer, we felt that very significantly, and we know there was a further development of gaming and gambling through the race-tracks and casinos etc, which was added on to the headquarters operation in Toronto, and that there are now some 500 jobs in Toronto—maybe you can clarify that for me—to support that effort province-wide.

I guess the question I have for you is—and I say this because our municipal council passed a resolution just a week ago and they're going to be coming to you. They may have already sent a letter to the corporation, and once you get into the job you're seeking here today, you'll probably be made aware of it. But could we move the headquarters back to Sault Ste Marie? With the downsizing of the economy in our area, steel in particular, those 500 jobs would be very, very significant, as you can imagine. We feel that the infrastructure we have would more than support the return of that capacity to our community. So I'll ask you first: would you be willing to entertain an argument from our community to actually move the headquarters back to Sault Ste Marie?

Mr Sadinsky: I do know a little bit about this issue. My understanding is that the headquarters of the corporation is still in Sault Ste Marie.

Mr Martin: We have that argument back and forth. I've written to Mr Barbaro and—

Mr Sadinsky: I understand that nominally, anyway, the headquarters is there and that a major portion of the technology and the lottery portion is there—

Mr Martin: Yes, that's right.

Mr Sadinsky: —and that there is a very significant office in Toronto as well. I should just say to you that I'm very sympathetic to this whole scenario, because I'm from Kingston. We've got the OHIP building in Kingston, and I can tell you how important that facility is to a city like Kingston. So I know where you're coming from in that regard.

When the headquarters was located in Sault Ste Marie, the corporation didn't exist. It was a very different operation than it is today; that's the important point. It was basically a lottery corporation at that point. Casinos didn't arrive in Ontario until 1992, and we know about the development of the commercial casinos and, as you said, the slots at the racetrack. It does make sense to me that when a great portion of a corporation's business is in a particular area, there is some common sense in having people staffing that area in locations that are accessible. So it cuts both ways, I think.

It's a tough problem. I can see the reason for having people in Toronto, and I can see the argument that's being made by the Soo. All I can tell you at this point is that I'd be happy, if I get the job, to meet with the mayor and discuss the situation. First I'll have to understand better why the decision was made to locate so many people in the Toronto area. Frankly, to me it's a question of what makes the most common sense, recognizing the different needs that are there: the needs of a community like Sault Ste Marie and the needs of the corporation to conduct its business in the best possible way. Whether or not there are compromises or possibilities, frankly, I just don't know enough about it right now. But if I'm in that job and the mayor of Sault Ste Marie wants to meet with me, I'll meet with him.

Mr Martin: OK.

The Chair: The bad news is—

Mr Martin: Just one quick, short, little—

Interjection.

Mr Martin: On behalf of my municipality, I just want to ask one quick other question.

Mr Sadinsky: It's fine with me.

Mr Martin: At one point, both the chair of the board and the president of the corporation were from the Soo. Fred Griffith was the chair of the board and Ian Nielsen-Jones and then Garth Manness were presidents, and they both lived in Sault Ste Marie.

You're from Kingston.

Mr Sadinsky: That's right.

Mr Martin: We were wondering if you'd be, I guess, sympathetic to the possibility of the president of the corporation either being from or, if chosen from someplace else, being asked to live and set up shop in Sault Ste Marie?

Mr Sadinsky: Do you mean the CEO?

Mr Martin: Yes.

Mr Sadinsky: Again, I think that very much depends on what I said previously; that is, where does it make the most common sense to have your senior executives? If a case can be made for locating a CEO outside Toronto—in Sault Ste Marie or wherever—then that's the sensible thing we should do. But as I said, at this point I would want to educate myself about the history of the problem, the rationale for the changes that have been made, the arguments for and against making changes back or in the other direction and then, subject to the conclusions you reach on that issue, that's what will drive where you locate your senior people.

The Chair: Thank you very much. In fairness, I want to let Mr Mazzilli have a question. I know they waived their time, but Mr Mazzilli has a question.

Mr Mazzilli: Thank you very much, sir. I certainly will be voting for your appointment. I think what you've heard today, and you said it yourself—the obligation. Obviously, the government feels the Ontario Lottery and Gaming Corp has an obligation to turn over a certain amount of money every year; Trillium feels the Ontario Lottery and Gaming Corp has the obligation to turn over a certain amount of money every year; and the racing industry. But the final one is what Mr Martin spoke about: no matter what our feelings are on gambling, if you will, there's another obligation, the 5,000 or so employees who work for the Ontario Lottery and Gaming Corp whose sole shareholder is the government of Ontario. We often forget that obligation. We get very personal about our beliefs about gambling, but we forget about all the obligations we have with this corporation.

Finally, I wish you luck with all those obligations. If I could just lobby for the London community, I understand that Mr Martin wants offices in Sault Ste Marie, whether it makes sense or not, because of his community. But in southwestern Ontario, we're not a thriving area either, and I know we could certainly use some offices of the Ontario Lottery and Gaming Corp in our area. I know that Mr Johnson has several small communities around London that he represents. Mr Wettlaufer—

Mr Wayne Wettlaufer (Kitchener Centre): We're self-sufficient.

Mr Mazzilli: You're self-sufficient, but in London we're not. We've had slow population growth over the last decade.

Mr Sadinsky: Mr Bradley used to have a racetrack in his area, and he doesn't have it any more.

Mr Mazzilli: The racetrack in London is doing quite well, but certainly we would appreciate any administrative or enforcement types of jobs you could bring to our community.

The Chair: I did want to give Mr Mazzilli a chance, because we strayed over. Even though you had given up your time, I wanted to show how benevolent I can be to you, Mr Mazzilli, because you're very good.

Mr Mazzilli: On a point of order, Mr Chair: We certainly give up our time, but somehow I see it never makes any difference on the time, so obviously our time gets used up by others.

The Chair: It always makes a difference. Sometimes the witnesses give a fulsome answer, which we hope they always will, on these issues. That's what happens sometimes; I don't like to cut the witnesses off when they're in full stream, because I know you're anxious to hear everything the witness would have to say.

Mr Mazzilli: Perhaps you should cut off the questioners.

The Chair: I will take your reprimand as I should, Mr Mazzilli.

Thank you very much, sir, for being with us.

Mr Sadinsky: Thank you very much.

1440

MARGARET THOMSON

Review of intended appointment, selected by official opposition party: Margaret Thomson, intended appointee as member, Northern Ontario Heritage Fund Corp.

The Chair: Our next intended appointee is Margaret Julie Thomson, intended appointee as member, Northern Ontario Heritage Fund Corp. You may come forward, Ms Thomson. We welcome you to make an initial statement if you wish and then we'll have questions from members of the committee as they see fit.

Ms Margaret Thomson: Good afternoon, Mr Chairman and members of the committee. I've prepared a short statement outlining just a little bit of my background and the things I think I would bring to the position as a member of the board of directors of the Northern Ontario Heritage Fund Corp.

I'd like to begin by thanking you for the opportunity to be with you today to make my presentation concerning my candidacy for appointment to the Northern Ontario Heritage Fund Corp board of directors.

Should I be privileged enough to be appointed to and serve on the NOHFC board, I would like to share with you what I believe are some of the attributes I would bring to the position and which I hope would comple-

ment the work being done by the current team of directors on the board.

First of all, I'd like to talk a little bit about my commitment to northern Ontario. I am passionately committed—that's a word that's used by friends and colleagues about me, that I sometimes come across as very passionate about my commitment to northern Ontario. I am committed, in my own small way, to doing whatever I can and contributing wherever possible to improving the economic and social well-being of northern Ontario, where I have been very fortunate and privileged over the past 26 years to work, live, play and raise my family. Because of what northern Ontario has given to me, I continue to feel a responsibility and commitment to give back to the community.

The second point would be what I feel is my understanding, appreciation and knowledge of northern Ontario communities. Over the past 12 years, I have been involved in many initiatives, projects and studies across northern Ontario which have provided me with excellent opportunities to develop an understanding and appreciation of community life, its challenges and opportunities in many northern Ontario municipalities and in particular in First Nation aboriginal communities. These experiences include working on industrial adjustment services committees in the communities of Ear Falls, Red Lake, Fort Frances and Kenora. These committees also included representatives from many First Nations from the surrounding areas and labour representation. I worked on each of these committees, sometimes between six and 12 months, during which time I was able to get to know the people within the communities and First Nations and to understand their visions, hopes and dreams for their communities.

I have also been involved in the planning, development and implementation of the aboriginal involvement programs related to the construction of four major wood processing facilities in northwestern Ontario. These are in the areas of Barwick, which is the Emo-Fort Frances region, Ear Falls, Red Lake area, the Kenora district, and the latest one was a wood processing facility located on Fort William First Nation but owned and operated by Bowater Forest Products. These programs also provided me with excellent opportunities to work with approximately 24 First Nations and surrounding municipalities on the development of pre-employment training programs, developing agreements for economic co-operation between the forestry companies and the First Nations, and the development of specific economic development initiatives related to these agreements. Some examples of these initiatives include the state-of-the-art, award-winning Wabigoon Ojibway Nation tree nursery located on the Ojibway First Nation near Kenora, and the First Nation ranger program, which has been supported by both federal and provincial governments for the past three years and is a program for First Nation youth from nine First Nations across Treaty 3, Treaty 9 and Treaty 5. I've been recently working with the Rocky Bay First Nation on a non-reserve birchwood processing facility.

Over the past 18 months I've also worked on three major studies, which have also given me the opportunity to travel to many communities across northern Ontario, including First Nations. I had the opportunity to go from Fort Severn in the north to Kenora to Sault Ste Marie to Sudbury and Parry Sound and all points in between. Through these visits and discussions with local community representatives, I've gained a greater knowledge of northern Ontario.

I am also privileged to be working on a number of projects with the Northern Chiefs Council, which represents six remote northern communities, and Shibogama Tribal Council, which also represents a number of remote communities.

In a former life, I was working for the city of Thunder Bay as director of the parks and recreation department, which gave me experience in developing proposals for funding for various capital works projects in the city of Thunder Bay, projects like trail systems, community centres and senior citizens' centres.

As to my experience on advisory boards and committees, I've served on two provincial ministry advisory committees. The first one was Minister Hugh O'Neil's sport, fitness and recreation advisory board. I also served on the millennium special projects advisory committee, which reviewed and recommended applications for funding for projects to celebrate the millennium.

I also served on the current federal government's steering and advisory committee for the aboriginal workforce participation initiative, and I currently serve as a board member on the board of governors' foundation of Lakehead University.

That's just a little bit of my background that I think would serve me well as a board member. Thank you again for the opportunity to share some of this with you.

The Acting Chair (Mrs Leona Dombrowsky): Thank you, Ms Thomson. We will begin with the official opposition.

Mr Gravelle: Good afternoon, Ms Thomson. It's good to see you here. Thank you for coming down from Thunder Bay.

Certainly I want to have an opportunity to ask you about the heritage fund itself and some of your thoughts in terms of the direction of the fund, but if I may, I'd like to ask how this appointment came about. We're always interested in the process by which people have their appointments made, so if you could let us know just how the process went.

Ms Thomson: In my work, I'm associated with the heritage fund from a professional perspective, but I was attending a social function and an acquaintance of mine told me that there were some vacancies that might be coming up on the board and asked if I would think about putting my name forward. So I developed my resumé and sent in the application.

Mr Gravelle: May I ask if there is any political connection? As you well know, there are a number of people who I think have shown great interest in being on the heritage fund, because there have been a couple of

vacancies. So can I ask, do you have a political connection with the government as well?

Ms Thomson: Not in—

Mr Gravelle: Are you a member of a political party?

Ms Thomson: In the past year I have a membership in the Progressive Conservative Party in Thunder Bay-Atikokan.

Mr Gravelle: As you know well—and may I say to the members of the committee that I know Ms Thomson quite well and admire her work very, very much. She's done and continues to do remarkable work, particularly with the First Nations. I hope we have enough time to get into a little bit of that, because I think it applies very helpfully in terms of the possible advantage of the heritage fund itself.

The heritage fund is a very important economic development fund for northerners, and certainly I have my thoughts on it in terms of some of the things I've perhaps been somewhat critical of. But I really want to use this as an opportunity for you and for the nominee who will be following you as well to give some sense of how you feel the heritage fund can be used in the north: one, whether there are some adjustments that you think should be made to it, or whether you think the funding that's in place now is being spent as you would spend it. In a way, I'm going to offer you a forum to give some thoughts on your vision for how the fund might work.

1450

Ms Thomson: As I mentioned before, my experience is on the other side of the table, filling out application forms. I think the eligibility criteria make it very clear about what projects would have merit. I would have confidence that in the process—and it's a two-step process that you have to put a lot of work into. By the time the projects with merit get to the board, I think they've been really well scrutinized.

As we know, in the north there's never enough money to meet the demands, and the demands are really increasing. The resources are spread a little more thinly, so it makes it even more important that those criteria are adhered to and the process is rigorous. I think with that process in place—my experience has been on projects that I've been involved with—of course our groups thought they had merit—and they were funded. I think one area where we could be a little more inclusive is in the area of First Nations. I'm not saying there's fault in any particular area. Sometimes it's because of lack of awareness, so maybe there could be a little more ambassadorial sort of word getting out.

My personal experience on particular projects has been that the heritage fund, particularly last year, came through, particularly with the First Nation ranger program that I spoke of before. That program wouldn't have happened without the heritage fund stepping in, and the project had merit.

Mr Gravelle: You're quite right. I certainly agree with you when you say that in terms of the amount of money there really is never enough, there are so many projects. That's one of the reasons we have some frus-

tration with the amount of money that's built up in the reserve fund. There has been a significant amount of money that has not actually been allocated. We're beginning to see more of those announcements now. I don't know whether that's got anything to do with politics or not, but there's more being announced now.

One of the things that has concerned me—I think that's the best way of phrasing it—is that the mandate or the criteria for the funds have changed considerably since the beginning of the heritage fund back in 1988 when indeed individual businesses could qualify for funding. It was in order to create jobs, and this government removed that entirely. I continue to believe that there should be at least a portion of it used to help northern businesses, because I think they have different challenges. I'd love your thoughts on that.

But what I'm specifically interested in you commenting on now is, what we've seen is that the fund now provides capital assistance for water treatment, for a number of infrastructure projects that are very important and for MRIs, for example, obviously for health care facilities, which are very important. What has struck me on more than one occasion—although I am the first to say, “Great. Thank you very much. We're glad to get the funding for it,” it seems wrong to me that it's not going through the ministry that it should be going through. The Ministry of Health should be providing the funds in terms of MRIs, for example, or perhaps the Ministry of Municipal Affairs. I'm curious as to your thoughts on that, because I guess what I'm seeing is that the heritage fund may be being used as a means of providing funds which should ultimately be coming from a more direct-line ministry. Do you have any thoughts on that?

Ms Thomson: As you know, the north is a very unique place to live, work and play, and so the demands are very diverse. Again, there wouldn't be enough money within one agency to fund all of those things. What I see as the benefit of heritage is particularly in the area of the strategic alliances, the strategic partnerships. I'm a true believer more than ever that everybody needs to be working together, because no single agency or government has the wherewithal to fund all of the demands in the north. Again, if the criteria are applied consistently, then the decision-making should be consistent and those projects with merit get funded.

I work on many diverse projects but they seem to fit those areas. I think the strength in the criteria right now is in that program with strategic alliances and partnerships. I'd say that on 99% of the projects I've worked on, it's a coming together of industry and non-profit or not-for-profit organizations, because that seems to be the only way to get things done right now. No single agency would have the wherewithal to carry the full load. So it's sharing the responsibility and the load around.

Mr Gravelle: I appreciate that answer. Do you think there should be at least a portion of the heritage fund that is allocated to northern businesses? As we all know, there are additional challenges in the north: distances, the environment and other things. When the heritage fund

was originally put in place, as I mentioned earlier, there were businesses that could apply for some help, and this government chose to stop that process. Is it something that you think should be looked at again?

Ms Thomson: I think I would have to be serving on the board to look at the types of business initiatives that might be considered. I think it's a different context altogether between non-profit, not-for-profit and the business sector. They tend to have more resources. We serve the people who need it the most. Sometimes we think that business has deep pockets, and they don't. That's something that I think could be looked at.

Mr Gravelle: One of the things we're all familiar with is the challenge of attracting businesses to the north. In terms of job creation, that can make a real difference.

How much time do I have? One minute?

The Acting Chair: Less than.

Mr Gravelle: Let me ask you then, if I may, very quickly, about the rather extraordinary work you've done with First Nations. You've been involved with some applications for the heritage fund itself. Can you see a more direct way to actually have the fund more accessible to our First Nations communities in terms of projects, or are you reasonably satisfied that it's working in terms of accessibility? I know one of the things we all hear about, and it probably goes for all government programs, is that it's hard to access and it's hard to get a response—that sort of complaint. Have you found that in your own experience, particularly working with First Nations communities? Do you think it can be improved or changed?

Ms Thomson: There's always room for improvement but I think it's been a lot better in the last couple of years, just from the work that I've been doing. It's an awareness issue. It's also part of their responsibility to understand what's out there, so it's a communication thing. But I think just in the last couple of years, projects that I've worked on have all been funded. So I think there's more heightened awareness among the First Nations—more of the First Nations that are in the urban setting; not so much in the communities, say, in the remote regions. But that's a factor of living in the north. It's that distance, and distance creates communication and access problems. It's hard for somebody in Fort Severn to jump on a plane and come down and talk to the heritage people in Thunder Bay, for example, so some of those barriers could be broken down perhaps a little more. But I see a lot more First Nations taking advantage of it and creating more awareness that the heritage fund is there for projects of merit that they may have.

The Acting Chair: Mr Gravelle, that would conclude your time. We now move to the third party.

Mr Martin: Good afternoon. Thanks for coming. I wanted to perhaps follow up on some of the questioning from Mr Gravelle, to suggest that the heritage fund was initially established to take some of the cyclical nature out of the northern economy, to be there to help communities in times of difficulty; in other words, a rainy day fund. I don't know about you, but my experience in my area—Algoma and the Soo—is that it's pouring cats

and dogs. There isn't a community in the north that hasn't lost significant population in the last seven or eight years, since the census of 1996, I guess. My own community has gone from over 81,000 down to an official 75,000, but our hunch is, when we look around and see the houses for sale—at the end of the year, for example, my kids saying goodbye to some of their friends as their families move out of town—we're probably closer to 70,000. We're in big-time crisis.

What concerns me is that we're sitting on a fund, which is supposed to be there for a rainy day, that is growing. It's almost a quarter of a billion dollars now not being delivered, not put out there into the communities to be used to stimulate, to help and assist. I've got some ideas on how it could be used more effectively. What might your thinking be on that and perhaps some ideas that you might have?

1500

Ms Thomson: Not having been on the board, I think I'd have to get a little bit of experience and a better understanding of what projects have been funded. I look to a fund like the heritage fund to be responsive to the needs of the community, and those needs, as you say, are changing rapidly. The pace of the change—it's hard to keep up with all of the demands; I think perhaps getting the word out there more about what programs do exist, and there is some flexibility within the five areas.

We're facing the same problem. There was an announcement in Dryden just yesterday about 300 positions. A program like the heritage fund, as much as you have the criteria—I think there should be some room, some flexibility and some opportunity to be responsive to those changing needs. How you do that and keep the merit there, maybe that's something that could be looked at. I can only go on my personal experience, and I found it to be responsive to the things that we've been pursuing on behalf of the communities. But there could always be room for improvement.

Mr Martin: That certainly has not been my experience. The people I've talked to in the Algoma district tell me primarily that they can't afford the 20%, 30% or 40% they're expected to bring to the table—that's one of the issues—and there doesn't seem to be the flexibility there to take that into account. When they come to the fund or the ministry for dollars, given the downloading and the reduction in other areas of funding, the money just isn't there.

I know for example in my community, where they actually did have the money, we applied to the heritage fund for an extension of our boardwalk, which would have created a wonderfully expanded tourism attraction. That has been talked about by many people who have come to the Soo as a very wonderful asset. The Norgoma, which is a ship we have parked beside the Holiday Inn, Roberta Bondar Place—they applied for money to upgrade that and fix it up. They applied for money for the bush plane museum. All of those projects were turned down.

Another project that I have some personal interest in: there's a group of disabled people in my community who want to have a conference in the fall to bring in all the communities to look at how the Ontarians with Disabilities Act is playing out, to expose them to our community and develop a sense of camaraderie there and move that agenda forward. They applied for \$25,000 and were turned down. I just don't know what the hell is going on. I phoned the office and said, "What is happening?" and the woman I spoke to said, "You tell me." I don't know.

Ms Thomson: Just yesterday we had the opening of the Chippawa Park revitalization, and the heritage fund played an important role in that project. I understand when you put an application in, there has to be a certain amount of money that comes from the applicant, but we found creative ways to work with that by developing those partnerships. For example, with the First Nations, the majority of them have zero dollars to put in as their community share, so we work with industries to get them to contribute a community share. That's what I was mentioning before, that it takes a lot of alliances and a lot of partnering to put the right packages together. That's what we put our energies into: developing those relationships. But why some projects get funded and others don't, I would think it's just who meets the criteria and who—

Mr Martin: I suggest to you that it may have something to do with politics too. You said that just in the last year you got a blue card and joined the Progressive Conservative Association. Is that correct? I think you said that in the last year you had joined up. I was speaking to the mayor of one of the small communities just east of the Soo. She said she was at a gathering, trying to get a meeting with one of the ministers and one of the minister's staff sidled up to her and said, "Do you have a card?" She said, "Well, of course I do." She pulled out her mayor's card, and he said, "No, no. Do you have a membership card in the party, because that's how you get the door open." So it's really hard not to become cynical.

The other piece I've been putting forward for quite a while too in terms of the heritage fund is that when this government came into power, they were the first government to say—and this is really surprising, given the nature of the government—that the private sector couldn't apply. We're told on one hand that the private sector is going to drive any renewal that's going to happen in the economy, and yet they can't apply to the heritage fund for funds to help them get into a new line or back up a line of credit or attract a new investor or whatever. Don't you find that strange?

Ms Thomson: There are other agencies that would provide that sort of funding, but I think it goes back to the sort of hierarchy of the need. With limited resources, who needs the most—

Mr Martin: But we're sitting on \$240 million. It's not limited resources. There's too much resources if you look at this. They can't spend the \$240 million that they have.

Ms Thomson: I don't know the figures.

Mr Martin: That's what's in the paper that was prepared for us today, and I've seen it before because I read the annual report of the heritage fund, that \$239,187,000 is sitting in a fund unspent at the end of fiscal year 2002-03. I don't know. Anyway, those are all my questions.

Mr Wettlaufer: How much was that again?

Mr Martin: How much? It's \$239,187,000.

The Acting Chair: We would move to the members of the government. You have three minutes remaining, Mr Wettlaufer.

Mr Wettlaufer: Good afternoon, Ms Thomson. How are you?

Ms Thomson: I'm very well, thank you.

Mr Wettlaufer: Good. Ms Thomson, in my role as parliamentary assistant to tourism, I travel into north-western Ontario a lot. I think I've seen you once or twice up there.

Ms Thomson: Is that right?

Mr Wettlaufer: I do have a fair amount of interest in what goes on in the north. It's interesting that Mr Martin raised the fact that there was \$200 million left—

Mr Martin: It's \$239 million

Mr Wettlaufer: —\$239 million—in the northern Ontario heritage fund monies. If your government had stayed in power, there wouldn't have been any money in there.

Mr Martin: Absolutely. We would have spent it all.

Mr Wettlaufer: So I think it's a matter of establishing priorities, and I think you would agree with that, Ms Thomson.

Coming from northwestern Ontario, I wonder if you have a reaction to yesterday's news announcement on the fact that the CTC, which is the Canadian Tourism Corp, totally forgot about northwestern Ontario in its tourism advertisements in its brochures. Do you have a comment on that, one that can be printed?

Ms Thomson: I've sat on some committees where maps have been on the wall and northern Ontario's supposed to be there, and Thunder Bay and points west and north of that are not on there. So it's not uncommon for people not to remember us.

Mr Wettlaufer: This is a land mass of, what is it, 229 million or 249 million square miles. That's more than western Canada.

Ms Thomson: Yes, it's sad. I've lived in northwestern Ontario for 26 years and I think sometimes it's the best-kept secret as far as beauty and natural resources go, so I don't know how anybody could forget about us, but it does happen.

The Acting Chair: That would conclude your time. Thank you very much, Ms Thomson.

1510

JOHN SIMPERL

Review of intended appointment, selected by official opposition party: John Simperl, intended appointee as member, Northern Ontario Heritage Fund Corp.

The Acting Chair: At this time, we will hear from the intended appointee, Mr John Simperl. Mr Simperl is intended to be appointed to the Northern Ontario Heritage Fund Corp. Am I pronouncing your family name properly, sir?

Mr John Simperl: You are.

The Acting Chair: Thank you. I would invite you to make some opening comments, Mr Simperl, and following that, there will be questions from members of the government, the opposition and the third party. You will be with us for one half-hour. Good afternoon.

Mr Simperl: Madam Chairman, fellow committee members, good afternoon. I'd like to thank you for the opportunity to appear before you today and provide some information if you so wish.

To me, the Northern Ontario Heritage Fund Corp is a very important board that can provide the direction and support required to develop assets and create much-needed jobs in northern Ontario to assist in deferring the outward migration of the younger people. I feel that I have the enthusiasm and the experience to assist the board in meeting its challenges ahead.

Some background on myself: I was born and raised in Manitoba. Upon completing my schooling, I joined the Bank of Montreal in a management-training program, which I completed in half the time allocated. I then proceeded to work my way up through the ranks at various branches throughout Manitoba, Saskatchewan and northern Ontario. Among the positions I held in addition to the branch operations was as an internal auditor for two years, where I audited portfolios basically in Manitoba, northern Ontario, Saskatchewan and some in southern Ontario. After that, I proceeded to what the bank considered a portfolio manager or workload position, which was to endeavour to assist in collecting funds that they had in a high-risk position with clients and to try to work out with the clients a procedure for them to regain their operations and work more opportunely for themselves.

I moved to Thunder Bay in 1987 to take on a senior account manager position with the bank in their commercial lending field. After five years, my portfolio had increased over 500%, and I had also taken over the position of supervising the other junior lenders in the situation in not only Thunder Bay but from basically the Manitoba border to Schreiber. At that point, the bank had offered me a promotion and, between my family and I, we decided it was best that we remain in Thunder Bay. I commenced working for a local highway contractor at that time. Since then, the highway contractor has also progressed into residential development, commercial development and owning some retail businesses.

In my position with them, I supervise the housing and land development areas, assisting in the leasing of rental properties and providing management and advice to the affiliated companies that they participate in. I also handle financing activities for all the companies involved.

My community involvement has been in numerous areas, although predominantly through Kinsmen. Over this period of time, I chaired a main building committee

which was for a community recreation centre that was approximately 7,000 square feet. We jointly built this in participation with the city of Thunder Bay, local trade contractors, Human Resources Development Canada, some of the local labour union boards, youth employment services and numerous other volunteering groups. I also sat on the chamber of commerce task force groups for fairer property tax assessment, and I have assisted the United Way in their various fundraising activities.

In closing, I'd like to say that my experiences in both the financial and construction fields should enable me to assist the board in the years ahead. Thank you very much for the opportunity to speak to you.

The Acting Chair: Thank you very much, Mr Simperl. We should be moving to the third party; however, we do not have a representative at this time so we will move to members of the government.

Mr Wettlaufer: Good afternoon, Mr Simperl. How are you?

Mr Simperl: Fine, thank you very much.

Mr Wettlaufer: Good. I would like to repeat the question that I asked Ms Thomson and look for your reaction to northwestern Ontario being neglected in CTC's advertisement yesterday—sorry, the advertisement was the day before yesterday, but it was announced yesterday.

Mr Simperl: I'd say it's disappointing, but even when I was with the bank, our head credit department was out of Toronto, and lots of times the information sent to us in Thunder Bay went to North Bay. So some of the situations are a grasp of the size of the province and where everybody is located.

Mr Wettlaufer: Do you not wonder what the effect is going to be on business interests in northwestern Ontario, those that are affected largely by tourism?

Mr Simperl: Just in some information that we have, one of the companies we're associated with runs a small resort and last year the number of calls from the border crossing and the Terry Fox monument, which are the tourism agencies, did an average of about two a day for drop-in traffic. Now you're averaging about one a week on that. So tourism traffic is definitely down, both across the border and for people touring Canada.

Mr Wettlaufer: Last summer and in the fall, Norm Miller, who is the parliamentary assistant to the Minister of Northern Development and Mines, and myself toured northern and northwestern Ontario to try to devise a strategy, a plan, for increasing tourism in northern and northwestern Ontario. Needless to say, many of the participants in the seminars and consultations were resort-based as well. There was a fair amount of discussion during the course of those consultations relating to the CTC's involvement in northern and northwestern Ontario and what it could do. I just find it a little bit strange now that the CTC could totally ignore such a valuable part of Ontario as northwestern Ontario, such a beautiful part of Ontario. Do you have any further comment on that, one that we could pass on to the federal government?

Mr Simperl: Unfortunately, not knowing all the background on it, I don't think it's proper for me to comment.

Mr Wettlaufer: OK. Thank you.

The Chair: Thank you, Mr Wettlaufer. Any further?

Mr Wood: We will waive the balance of our time.

The Chair: OK. I'll move to the official opposition.

Mrs Dombrowsky: I did note with some interest that at the present time you are the director of conservation, science and stewardship with the Nature Conservancy of Canada. Are you familiar with the work of Mr Charles Sauriol?

Mr Gravelle: You've got the wrong guy.

Mrs Dombrowsky: Oh, I'm sorry. I'm ahead of myself. Well, a question for next time. OK, my question for you, Mr Simperl—I was just going through my papers and thought, "I didn't note that before." With respect to this role, can you explain how it is you are here today as an intended appointee to the corporation?

Mr Simperl: Here's how it started. I was a friend of Mr Heikkinen, who was on the board quite a while ago, and I know Mr Mallon, and then Mr Wilson was appointed. I was at a chamber meeting and it was announced that he was leaving his appointment on the heritage board and that there would be an opening. I saw the value that the board can do in northern Ontario, so I discussed it with a couple of people in the PC Party in Thunder Bay and forwarded my application.

Mrs Dombrowsky: Some of those names I don't recognize. Mr Wilson: would that have been the Minister of Northern Development and Mines?

Mr Simperl: No, that's Harold Wilson, who was a member of that—

Mr Gravelle: One of the former members.

Mrs Dombrowsky: I see. He would be a former member of the corporation. Do you have a political affiliation?

Mr Simperl: I presently hold a PC membership as well as a Liberal membership.

Mrs Dombrowsky: Are you suggesting that one is at the federal level and one is at the provincial level?

Mr Simperl: Yes. I hold an Ontario federal Liberal membership.

Mrs Dombrowsky: And an Ontario provincial Conservative membership?

Mr Simperl: Correct.

Mrs Dombrowsky: Are you active in the local association?

Mr Simperl: Not directly, no.

Mrs Dombrowsky: You don't have an executive position and you're not involved with any campaigns, either in the past or upcoming?

Mr Simperl: I haven't been in the past. Actually, for the federal PC board, I was nominated for a director's position.

Mrs Dombrowsky: OK. I think my colleague now has some questions as well.

1520

Mr Gravelle: Welcome, Mr Simperl. I'm also very familiar with this gentleman, who is a very valuable member of our community. I want to just compliment you, if I may, and say publicly, in terms of the Northwoods multipurpose facility, it's a remarkable story. Your involvement with the cystic fibrosis telethon, in which I've had some passing involvement—I sing karaoke on this, for the members of the Legislature. I do karaoke. John, you'll confirm that.

Interjection: I'd like to hear that.

Mr Gravelle: It's true. I do it every year.

Interjections.

Mr Gravelle: It's a great cause.

I'm glad to have the opportunity, though, to ask you some questions, many of which I was trying to ask Ms Thomson as well. I am interested in your thoughts on the heritage fund itself and I have some interest in your thoughts relating to the private sector. Mr Martin brought it up in his questions as well.

Do you think, because that certainly was the original mandate of the heritage fund, certainly being involved in one of the major businesses in our community with Bruno's, there is a place in terms of assistance for northern businesses, the private sector, and that the heritage fund should play that role again in some fashion?

Mr Simperl: I guess the key in most positions these days is with government entering these partnerships. You see it between universities, colleges, businesses and that. Without knowing the exact basis and going into detail, I'd have to say that it should be looked into.

Mr Gravelle: I know it's difficult coming here when you're being appointed, but I also know that you are, again, much like Ms Thomson, very involved in the community and have a great sense of what's needed. I think perhaps outside the confines of this situation you might be a little more candid with me and I appreciate that. But do you have some thoughts as to how the heritage fund should be working? You made reference to your relationship with Mr Heikkinen, who was a former member and who we tragically lost in a terrible car accident. Do you have some thoughts on exactly how the heritage fund should be moving forward?

Mr Simperl: I feel that the monies that are there should be dealt with and that all good proposals that are put forth should try to be assisted with the fund. I realize that Mr Martin's comment about the excess money in the fund is the same situation as when I was at the bank. I could say that I had \$100 million in loans approved, but until the parameters are met to advance the money, there might have only been \$20 million outstanding at the time. So I can't honestly say how much of that money is already committed because I'm not familiar with that. But I think the money that is injected into the fund should be utilized in the north for creating opportunities.

Mr Gravelle: It does seem like a lot of money, though. The reserve is simply continuing to build up. I

guess that leads me also toward some of the areas that I have had concerns about. The fact is that the fund does appear to be being used in—it's all very important funding; I've never argued with it. I can't recall arguing with any announcement that was made. It's just that it seems to be funding that I would view as should be coming from the Ministry of Health or should be coming from the Ministry of Municipal Affairs. Have you ever drawn the same conclusion or the same thought about it? It bothers me, I suppose is the most honest thing to say, that the funding appears to me to have changed and now is being used as a top-up fund for other ministries. I would like to think that if indeed we should be getting an MRI in Kenora—I think Kenora did receive some money for it, actually—that it should be going through the appropriate ministry. I would like your thoughts on that too, if you can.

Mr Simperl: Again, Mr Gravelle, without knowing the basis of the situation I don't really think it's proper for me to comment on what somebody else has done.

Mr Gravelle: I certainly understand how the board works—I have a pretty good sense of it, with the chair being the minister, and the vice-chair. But do you see yourself taking a more activist position in the sense of looking at how the heritage fund works and saying, "These are some ways we think it can work differently"? Again, coming very much from the private sector, I would think you might have an interesting viewpoint as well.

Mr Simperl: I think that any board you get involved with, it's your obligation to sit on the board and if you see things that can maybe work better or areas where you can provide maybe a little bit of direction, that at least you should bring it up for consideration by the board. I think it's the obligation of everybody sitting on the board to do that.

Mr Gravelle: If I may also make comments in reference to Mr Wettlaufer's comments about the Canadian Tourism Commission's brochure or guide that was put out there—and I appreciate it was difficult for you to comment on it—it was astonishing that north-western Ontario was essentially left out, as if it didn't exist. But I must tell you, there have been some provincial maps and brochures put out there where we've had communities mixed up—you're probably familiar with that as well—which we always find very frustrating in the north. May I say, one of the challenges of being a northern member is coming down here and making sure the government actually understands what the realities are up there, so I appreciate Mr Wettlaufer's great interest.

Mr Simperl, thank you very much for taking the time to come down here. We appreciate your doing that. I'm sure you'll be a fine member.

The Chair: That concludes the questions. Sir, you may step down. Thank you for being with us.

JOHN RILEY

Review of intended appointment, selected by official opposition party: John Riley, intended appointee as member, Niagara Escarpment Commission.

The Chair: The next intended appointee is Mr John Riley, intended appointee as member, Niagara Escarpment Commission.

As I am the environment critic, I will leave the chair and have Mr Gravelle come in, and I might get a chance to ask a couple of questions if he is looking my way—sorry, I mean Mrs Dombrowsky.

Welcome to the committee.

The Acting Chair (Mrs Leona Dombrowsky): Good afternoon, Mr Riley. You heard the question I was going to ask you already, but since I'm in the chair, I won't be able to ask it, so perhaps I'll be able to connect with you when this meeting is concluded. You have an opportunity, of course, to make some opening remarks for us, and that will be followed by an opportunity for members of this committee to ask questions of you. You will be with us for one half-hour. The time will be divided equally. So if you'd like to begin.

Mr John Riley: Thank you very much for your interest in my proposed appointment to the Niagara Escarpment Commission. The commission is now 30 years old. Looking back, I can recall meetings with Robert Bateman, Lee Simms, Lyn MacMillan and others around the table at the commission. I remember Ray Lowes's drive to create the Bruce Trail. I remember hearing about early commission members getting gun shells in the mail and the Premier being burned in effigy in Grey county. I am very grateful that we've now reached a slightly more advanced state of maturity in Ontario around environmental land use planning. The Niagara Escarpment plan was a key contributor to this maturity, and its concepts of core natural areas and natural landscape linkages are now part of green space planning in almost every region and municipality of Ontario.

My family and I have had a place in Mono township for 20 years now, near where the Oak Ridges moraine meets the Niagara Escarpment, so I take it as a special privilege to be considered for this appointment.

I studied botany and geology at university and was a botanist on the staff of the Royal Ontario Museum and then a geologist with the Ontario Geological Survey. In both jobs, I got to explore almost all of Ontario, by helicopter, boat, plane and by foot, and I have developed a very keen interest in Ontario's natural history and its sheer physical reality.

I joined the Ontario Ministry of Natural Resources in 1986 as an ecologist working on natural heritage policies and programs across southern Ontario: rare species and habitats, parks, ANSIs and wetlands. I helped to develop the province's first-ever natural heritage policies under the Planning Act. I tried to interpret environmental planning for non-scientists, writing something called *The Natural Heritage of Southern Ontario's Settled Land-*

scapes. After the plan area was recognized in 1990 as a UNESCO world biosphere reserve, I organized the inventory of the escarpment, which resulted in the 1996 Ecological Survey of the Niagara Escarpment Biosphere Reserve.

I then had the privilege of serving as science director and then executive director of the Federation of Ontario Naturalists. I helped lead the partnership of conservation groups that engaged the province's Lands for Life review of public land uses. I was a signatory to the Ontario Forest Accord on behalf of the conservation community and served as a member of the Ontario Forest Accord Advisory Board, which recommended new ways of allocating Ontario's public forest resources in a 2001 report called *Room to Grow*.

1530

For the past four years, I've directed the science and stewardship program of the Nature Conservancy of Canada in support of our direct conservation actions. Our work focuses on creating science-based blueprints for the Canadian ecoregions at greatest biodiversity risk and on setting the securement, stewardship and conservation priorities of our own organization and some of our partners.

In 2001, I served on the Oak Ridges Moraine Advisory Panel, which recommended environmentally based legislation, a conservation plan and a foundation for the moraine.

To say that I look to the Niagara Escarpment as a model would be an understatement. You will all personally remember the new legislation receiving unanimous approval in 2001, and the plan and the foundation came soon after. I know and appreciate Ontario's unique slice of our nation's natural diversity as well as the global significance of our Great Lakes, defined as they are largely by the Niagara Escarpment.

The escarpment and all of Ontario's natural heritage of great places need our vigilance and support over the next 20 years as we invite three million new Ontarians to set up shop within 50 miles of the plan area. Our infrastructure, green and otherwise, will be severely tested in every respect. I would like to contribute to a commission that keeps itself credible and relevant and at the same time meets the test that I think it set for itself when it was first adopted: to be the leading science-based environmental land use plan in Canada and a positive, respected and understood attribute of the communities that it is part of. Thank you very much.

The Acting Chair: Thank you, Mr Riley. Since the members of the government opened with questions last time, it would be the members of the official opposition.

Mr Bradley: Welcome to the committee, sir. The first question I would have is, there was an instance where the present Minister of Natural Resources—and I'll put in parentheses: not the minister himself but the minister with a small m, who should never be the person in charge of the Niagara Escarpment Commission—overturned a decision of a hearing officer in Milton on some severances. There was an additional severance. You may be

aware, through your long experience, and you may come to this conclusion, that the severance is death by a thousand cuts, that if you keep allowing severances anywhere, on farmland and wherever else, you end up with no farmland. It's not done in one fell swoop, but it nevertheless happens.

How do you view the Minister of Natural Resources in this case overturning the decision of a hearing officer who has heard all of the evidence provided by both sides, has all the evidence before him, makes a decision, and then has the minister politically overturn it? Do you have a view on that?

Mr Riley: I'm sure he had much more information available to him than I do today at this juncture to answer that question. I'm of the general, and probably rather idealistic, mode that the plan and its designations and the permitted uses under those designations represent at any particular time the view of the government and of the people who have worked to undertake the reviews and who could alter the plan. And so the commission should stand in support of that plan. I understand there are appeal mechanisms beyond that. That's the way the system works around the escarpment right now.

Mr Bradley: That was a reasonably evasive answer that I would have expected.

Mr Riley: I would prefer to talk about—

Mr Bradley: It would be very unfair. Actually, I didn't expect until at such time you are at least confirmed that you would be able to offer an opinion on that, but nevertheless it was a try, let me put it that way. It was a try.

Do you believe it would be better, in your opinion, offering a personal opinion, for the Niagara Escarpment Commission to answer to the Ministry of the Environment rather than the ministry of, often, the exploitation of natural resources; in other words, the Ministry of Natural Resources?

Mr Riley: If I'm not mistaken, Ontario experimented with this in a variety of ways and it's moved back and forth—is it three times? You're keeping score, I gather.

Mr Bradley: Three I can remember: municipal affairs, environment, and now natural resources.

Mr Riley: I don't really myself feel that, with the rather shallow awareness I have of this matter, I have perceived that much difference in the actual delivery as I see it related to a particular ministry. I think it has varied in its execution more related to the party in office than the ministry to which it's answering.

Mr Bradley: You have no connection, I take it, to the—I should put on the table the reason I ask this. When I look at the members of the present commission—I had a list here a moment ago—there was representation from, believe it or not, the resource extraction industry sitting on a commission which is designed to protect the Niagara Escarpment. You have no connection to the resource extraction industry in any way; is that correct?

Mr Riley: I do not.

Mr Bradley: I'm relieved to hear that, because I've seen a couple of occasions where that has happened and it's certainly flummoxed me in my viewpoint of it.

Mr Murdoch, who is a member of the Legislature who has an independent view—this is not a government view necessarily—on the Niagara Escarpment Commission, put forward a private member's bill in the House which would have abolished the Niagara Escarpment Commission and turned over responsibility for the planning to local councils. I could offer an editorial opinion—I will not—on that. Would you be in favour of that, of abolishing the Niagara Escarpment Commission and turning the planning responsibility—

Mr Riley: My understanding, from talking to some of the people involved in the original thinking around the legislation and the plan, was that at some ideal point in the future there would be an opportunity perhaps to consider this. I believe there is a section in the legislation itself that does allow municipalities to apply for some role in the delivery of the plan. My understanding is that no municipality has ever stepped forward formally to ask for that section of the act to be applied, so perhaps we just haven't got to that state yet where municipalities want to take that on.

Mr Bradley: Well, heaven forbid they do, because there are different kinds of pressures. Some of us have served at the municipal level. There are different kinds of pressures that are applied on a local basis to municipal politicians than there are on others.

I know a person who is sympathetic to that view and is no longer a member of the Legislature, but who I want to say on the record I thought was an ally of the Niagara Escarpment Commission. That's the member who preceded Mr Eves in his particular seat. I think the government members know that, that Mr Tilson was a person who was protective, as was Mr Sterling, who was responsible initially for bringing forward the plan. It was always my suspicion—I have this suspicious mind—that the government members think the reason they took responsibility for the Niagara Escarpment Commission away from the Ministry of the Environment was to take it away from Mr Norm Sterling. But the government members would think I was too cynical and suspicious in coming to that conclusion, I'm sure.

I won't ask you that, but I will ask you this: the Niagara Escarpment Commission, to do its job appropriately, like so many environmental parts of government, needs additional staff and additional funding because it was cut back drastically, the same as the conservation authorities, the Ministry of the Environment, the Ministry of Natural Resources. Would you be supportive of the Niagara Escarpment Commission being able to acquire the appropriate staff and financial resources to be able to provide recommendations to you, if you are appointed and confirmed as an appointee to this board? Do you think that would be an advantage, to have those kinds of resources available to the Niagara Escarpment Commission?

1540

Mr Riley: I can only agree with you, but I work in the private sector. I'm interested in very lean operations. It has been our success as an organization.

I am aware, from my own personal experience, that the profile of the Niagara Escarpment and I think some of the changes in attitudes of landowners along the escarpment over the last couple of decades have been fostered by some very strong early investments in communications and materials outreach, landowners' contact and support, and those are aspects of the commission's role that I would like to see strengthened, certainly.

Mr Bradley: We in the opposition always ask this question. Do you have any political affiliation? It's a dangerous question when you don't know the answer.

Mr Gravelle: It's very dangerous.

Mr Riley: No, I do not.

Mr Bradley: That's an advantage, probably. Around this place that's probably an advantage, to longevity at least. The government members would be very disappointed if we didn't ask that. You know, they look over, almost begging the opposition to ask this question every time.

Mr Wettlaufer: If you didn't ask it, I would.

Mr Bradley: I knew it. Wayne was going to ask that for sure.

I had another profound question and I can't remember what it was. Oh, yes. It was on a controversial issue that is in the public domain today, and that is the mid-peninsula corridor, which is a proposed highway which, under the proposed routes that I have seen, would go through the Niagara Escarpment, provide a cut through the Niagara Escarpment. It has been the subject of considerable debate in Halton and Burlington and Niagara. Do you have an opinion on whether a highway should be permitted to cut one more time through the Niagara Escarpment lands?

Mr Riley: My general opinion is, I don't think you can get from point A to point B without going through the Niagara Escarpment, given its lay on the ground. It is a great challenge, and I'm very interested in this severe test that I think southern Ontario will be going through in the next 20 years. To keep our engine of the economy working and engaged with its partners in the south requires transportation. To house and provide jobs and infrastructure for the kind of population growth that we're going through is a huge challenge.

I don't think there are any easy answers on any of this. This is very tough going. I think it's been relatively prescient of Ontario and, if you look at this in a North American context, quite outstanding to have stepped back and said, "Well, now, let's look at the big picture here. We'd better recognize and protect the Niagara Escarpment. We'd better take care of the Oak Ridges moraine and we'd better take care of our heritage coastlines of the Great Lakes." This in the next 30 years is going to really, I think, anchor our natural environment and our water resources and many other aspects of southern Ontario. But I don't think there are easy answers to

any of the really tough questions about population and infrastructure and investment in transportation.

Mr Bradley: One of the ways—

The Acting Chair: Thank you, Mr Riley. Mr Bradley, your time is well past. I'm sorry.

Mr Bradley: You notice how, when they're sitting in the chair, they have great enjoyment in cutting me off?

The Acting Chair: I did exercise a good deal of flexibility with your time.

Thank you very much, Mr Riley. Normally we would hear from the third party; however, Mr Martin did have to leave. We will ask if the government members have any questions. We have five minutes for government member questions.

Mr Johnson: I didn't have a whole lot, but I am impressed by the list of your publications that we've been given. I guess it's more to satisfy my own curiosity, because one of them, I think, was an inventory of peat lands.

The reason I'm interested is that I live in Listowel, Ontario, and just south of Listowel, in Elma township, there are—it was very low-lying, but I understand there are peat bogs. Within the last few years—and when I say a few years, years go past kind of quickly—they put out a fire in the peat bogs in Elma township. I understand that that fire, that smoke, had been coming out of those bogs from—I was going to say "time immemorial." Before the first white settlers came, they heard about the smoke in that area. I just wondered—tell me a little bit about peat bogs.

Mr Riley: It seems rather unlikely to me. Now, there are quite a number of instances where a fire has got into dried peat and has lasted through a winter that has had relatively low snow cover and has come up again in the next year. You can see it on the air photos of Holland Marsh; it's very clear. But to have persisted from—when was that? Time immemorial?

Mr Johnson: Yes.

Mr Riley: That's a while.

Mr Johnson: I understand that the first settlers saw it and it never stopped until—

Mr Riley: It would be hard for me to think how it would keep growing as a peat land.

Mr Johnson: So that would be unusual.

I know that it's harvested in some areas. I guess that in that area is not where they're harvesting, because I've never heard of that. But is that a big industry?

Mr Riley: It's a great industry in Europe, a very critical industry. In Quebec and New Brunswick it's an important industry. In Ontario it's not. I personally believe that's a resource that will be developed in the future, in the north, and should be. We could go into many details, but I think—

Mr Johnson: Because of the nature of the development of peat through the thousands and thousands of years that it may have developed, I assume there aren't significant peat bogs on the Niagara Escarpment.

Mr Riley: No.

Mr Johnson: OK. Those were my questions.

The Acting Chair: Thank you. That would conclude the questions for you this afternoon, Mr Riley.

Mr Riley: Could I just comment that I was acquainted with Charles Sauriol. He was the first executive director, first paid staff member, of the Nature Conservancy of Canada, and showed terrific leadership in building our organization.

The Acting Chair: Yes, very committed to the environment indeed. Thank you.

The Chair: We have now come to the part of our meeting where we deal with the intended appointees in terms of our voting, our confirming or not confirming these individuals.

The first is Mr Jim Dimovski, intended appointee as vice-chair, Workplace Safety and Insurance Appeals Tribunal.

Mr Wood: I move concurrence.

The Chair: Concurrence has been moved. Any discussion? If not, all in favour? Opposed? The motion is carried.

The second is Nicolette Novak, intended appointee as member, Niagara Escarpment Commission.

Mr Wood: I move concurrence.

The Chair: Concurrence has been moved by Mr Wood. Is there any discussion? If not, all in favour? Opposed? The motion is carried.

The next one is Stanley Sadinsky, intended appointee as member and chair, Ontario Lottery and Gaming Corp board of directors.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence in the appointment. Any discussion? If not, all in favour? Opposed? The motion is carried.

The next is Margaret Julie Thomson, intended appointee as member, Northern Ontario Heritage Fund Corp.

Mr Wood: I move concurrence.

The Chair: Concurrence has been moved by Mr Wood. Any discussion?

Mr Gravelle: I will be supporting Ms Thomson's appointment to the Northern Ontario Heritage Fund Corp. I think she is a remarkable northerner in many, many ways and will be an excellent member of the board. I do want to encourage her, if I may, to explore some of the things that I was discussing in terms of how the fund can work differently and perhaps be more accessible to a number of organizations, particularly in the private sector, some of those things as well. But I do think she will be a fine appointment.

1550

I do feel the need to say that it now does appear, though, that in order to be a member of the heritage fund corporation you need to be a card-carrying member of the Conservative Party. I'm getting very much that impression from talking to people closer to the minister, as well. As much as I have no objection to anybody joining any political party, and I certainly respect Ms Thomson's reasons for whatever she may do in that sense, it just seems to me that the political affiliation, particularly for a

corporation like this, where all northerners do work together—and we work very closely, regardless of party affiliation, in trying to improve our economic circumstance in the north under great challenges. So I would hope that would not be a criterion for having an appointment to the board. I am very supportive of Ms Thomson's appointment. I think she will be a super member.

Mr Mazzilli: I'll certainly comment on that, Mr Chair. We too will be supporting this appointment. As you know, today we've heard one of the intended appointees, or now appointee, who is a federal Liberal card-carrying member. Another member this morning was a federal Liberal card-carrying member and a provincial Progressive Conservative card-carrying member.

The Chair: That always drives the local associations mad, doesn't it?

Mr Mazzilli: So when we hear from the odd person who is a Progressive Conservative card-carrying member, we hear the end of it.

But on Mr Gravelle's first point, I think when people are appointed to these boards, they have an obligation to those boards and the criteria. Certainly Mr Gravelle has projects in his area that he wants to advance, and that's his job. But at the end of the day, the board members have a responsibility for that whole fund, to account for it and to account for it properly. Whatever fund there is out there you'll find that there are 10 times the applications than money available. So I wish the members of the board luck and I ask them to do their job in a responsible manner.

The Chair: Any further comment? If not, I'll call the vote. All in favour? Opposed? The motion is carried.

The next intended appointee is John Simperl, who is the intended appointee as member, Northern Ontario Heritage Fund Corp.

Mr Wood: I move concurrence.

The Chair: Concurrence is moved by Mr Wood. Any discussion?

Mr Gravelle: I just want to indicate that I will be supporting Mr Simperl's appointment as well. Again, I think Mr Simperl has been a very active and positive member of the community and, like Ms Thomson, understands the north very well—the northwest in particular.

I do want to use this as an opportunity, if I may, to direct this perhaps to the minister himself, who may be watching, if we're fortunate today.

The Chair: I'm certain he is.

Mr Gravelle: I'm sure he is too. I'm glad to have these appointments filled; they're important to be filled. There is a gap, may I say, in the board, which I think the minister should be looking at, which is the north shore of Lake Superior and the Highway 11-17 corridor up through Geraldton, Longlac and moving into that part of the province. We did have the former vice-chair, Mr Power, representing that as well. As much as it may seem odd for me to be potentially, even in a minor way, criticizing two appointments from the Thunder Bay area, because I represent that as well, I do think it's important that we have a member of the board either representing

the north shore of Lake Superior or that Highway 11-17 corridor going up through Beardmore, Longlac and Geraldton. So I would hope the minister would consider that. I think it's a real gap. There are many communities up there. I'm sure both our appointees today will do their very best to represent the interests of those communities, but I do think we need a position up there as well. But I will be happy to support Mr Simperl.

The Chair: If there is no other comment, I'll call the vote. All in favour? Opposed? The motion is carried.

The next intended appointee is John Riley, intended appointee as member, Niagara Escarpment Commission.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence in the appointment. Any discussion? If not, I'll call the vote. All in favour? Opposed? The motion is carried.

Is there any further business for the committee, any observation anybody wishes to make?

Mr Gravelle: Is there any merit right now in discussing perhaps when our next meeting might be, Mr Chair, even in order to help you make some plans? I know that we have some outstanding appointments.

The Chair: I will ask the members of the committee if they have an opinion as to when the next meeting might be held and the clerk will take note of that. First of all, do you have any opinion on when you'd like to see the committee—

Interjection.

The Chair: Mr Wood first.

Mr Wood: Could I ask how many pending appointments we have that haven't yet been reviewed?

The Chair: There are three at this time.

Mr Wood: My inclination would be to leave it to your discretion. My personal preference would be to orient it around the 13th of August, plus or minus.

The Chair: If we're not preoccupied in another situation—

Mr Wood: Presuming you have jurisdiction to call a meeting.

The Chair: Exactly.

Mr Wood: And to hold a meeting.

Mr Gravelle: I actually know my schedule fairly well; as you say, unless we're occupied with something else. Is it possible, if we do it on the 13th, to have it as an afternoon session? Would that be difficult? I know where I have to be on the 12th, which is in a part of my riding that's difficult to get back from. I think I'd be able to make it, at least. I guess we don't have to do it on

Wednesdays. Mr Wood and I had a chance to discuss this informally and I think there's—

Interjection.

Mr Gravelle: It's not better for me. Is it better for you?

The Chair: I think in the summer particularly what happens is—I know we're trying to frame something now but the best is probably to have the clerk try to track members down to determine when we are available because it is really hard to say now until we have a reasonable number; it's very difficult to call everybody into Toronto for three people. If we had six or eight or so, it may be useful. We take note of your comment about that day and the afternoon being better than the morning. However, we will try to accommodate as many members of the committee as possible and make it as reasonable a date as possible. The clerk usually is able to consult members of the committee on that and come to some conclusion. It may not be entirely happy for everyone, but it's reasonably happy.

Mr Wood: If I could offer a further observation, I think starting at 11 would achieve wider support than starting, say, at 1 or 2. So I think if we have to accommodate somebody coming in, it might be wise to delay the start for an hour. Because we did have a good productive day today; we reviewed 10 appointments, which is quite productive and good.

Mr Gravelle: I think I could be here by 11.

Mr Johnson: I suggest we seriously consider September 24.

The Chair: That is certainly a possibility. You may have some knowledge that we don't have, Mr Johnson, as to what may or may not be happening on that date.

Mr Wood: We're scheduled to meet on the 24th, I think.

The Chair: That is true; we are. We will have the clerk consult members of the committee to see when you're available. Committee members have been very positive about this and have tried to be very helpful. I've been pleased to see the level of co-operation with extending appointments so our committee can deal with its business. We'll leave it at that, if we may.

Any other business for the committee?

Mr Wood: I move adjournment.

The Chair: Adjournment is moved by Mr Wood. All in favour? Opposed? The motion is carried.

The committee adjourned at 1558.

CONTENTS

Wednesday 16 July 2003

Subcommittee reports	A-67
Intended appointments	A-67
Ms Linda Nowicki.....	A-67
Ms Helen Buckley-Routh	A-72
Mr Peter Robertson	A-76
Mr Ralph Hunter	A-79
Mr Jim Dimovski	A-85
Ms Nicolette Novak.....	A-88
Mr Stanley Sadinsky.....	A-93
Ms Margaret Thomson.....	A-99
Mr John Simperl.....	A-103
Mr John Riley	A-106

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Wayne Wettlaufer (Kitchener Centre / -Centre PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

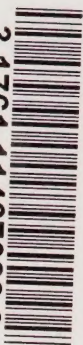
Mr Garfield Dunlop (Simcoe North / -Nord PC)

Clerk / Greffière

Ms Anne Stokes

Staff / Personnel

Mr Andrew McNaught, research officer,
Research and Information Services



3 1761 11467083 9